

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

THOMAS BUCHANAN on behalf of	:	
herself and all others similarly situated,	:	
	:	
Plaintiff,	:	C.A. No. 3: 17-CV-0728-D
	:	
v.	:	
	:	
SIRIUS XM RADIO, INC.	:	
	:	
Defendant.	:	

/

**EXPERT DECLARATION OF ANYA VERKHOVSKAYA
CONCERNING PROPOSED NOTICE PLAN**

April 23, 2019

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I, Anya Verkhovskaya, hereby certify as follows:

I. INTRODUCTION

1. The opinions expressed in this Expert Declaration of Proposed Notice Plan are based upon my personal knowledge and experience, documents and information provided to me by Plaintiff's Counsel, my associates and staff.
2. I submit this Declaration at the request of the parties in connection with *Buchanan v. Sirius XM Radio, Inc.* regarding the proposed Notice Plan
3. I am over the age of 21 and I am not a party to this action. If I were called to testify, I could and would competently do so.

II. EXPERIENCE AND QUALIFICATIONS

4. I am the President of Class Experts Group, LLC ("CEG"). CEG offers litigation support services with a focus on data management and data analysis, particularly in the area of Telephone Consumer Protection Act ("TCPA") class administration and consumer class action litigation support services.
5. I have over 20 years of experience serving as an expert witness and court-approved class action settlement administrator in various class action matters, including, but not limited to Telephone Consumer Protection Act cases, consumer, employment, antitrust, securities fraud, ERISA, civil rights, discrimination and other claims. My résumé is attached hereto as Exhibit A.
6. I have extensive experience identifying and locating class members in order to administer some of the largest and most complex class actions and other administration matters, involving all aspects of direct, media and third-party notice programs, data management, claims administration and settlement fund distribution, both domestically and internationally.

7. In my professional experience, I have personally analyzed, overseen and directed pre-class-certification data analysis engagements, including but not limited to the analysis of telephone records; credit card company records; governmental agency data files; life, automobile, medical, and title insurance records; medical billing records; mortgage, securities and other banking records; as well as various other large-volume data sets across dozens of industries.

8. As a result, I am familiar with numerous and diverse methodologies and systems that can be used to perform reliable record analysis.

9. I have been personally involved with the administration, processing and adjudication of millions of class action-related claims, and hundreds of thousands of TCPA-related claims, including analysis, classification, processing documentation (paper and digital) and related correspondence.

10. I have regularly served as an expert witness, providing opinions and testimony concerning notice adequacy and settlement issues, ascertainability, and class certification.

11. I have been retained to provide expert reports and/or data analysis declarations in numerous TCPA matters, including but not limited to the following cases:

- a. *Abante Rooter & Plumbing, Inc. v. Alarm.com, Inc. and Alarm.com Holdings, Inc.*, No. 15-6314 (N.D. Cal.)
- b. *Barron's Outfitters, Inc. v. Deluxe Corp.*, No. 14-1903 (D.S.C.)
- c. *Benzion v. Vivint, Inc.*, No. 12-61826 (S.D. Fla.)
- d. *Biringer v. First Family Ins., Inc.*, No. 14-566 (N.D. Fla.)
- e. *Carrese v. Yes Online Inc.*, No. 16-5301 (C.D. Cal.)
- f. *Cordoba v. DIRECTV, LLC*, No. 15-3755 (N.D. Ga.)
- g. *Cortes v. National Credit Adjusters*, No. 17-02152 (S.D. Cal.)
- h. *Desai v. ADT Security Sys., Inc.*, No. 11-1925 (N.D. Ill.)
- i. *Donaca v. Dish Network, L.L.C.*, No. 11-2910 (D. Colo.)
- j. *Duchene v. Westlake Servs., LLC*, No. 13-157 (W.D. Penn.)
- k. *Fanning v. HSBC Card Servs., Inc.*, No. 12-885 (C.D. Cal.)

- l. *Flowers v. Twilio, Inc.*, No. RG16804363 (Cal. Sup. Ct., Alameda Cnty.)
- m. *Gilmore v. USCB Corp.*, No. 17-00119 (M.D. Ga.)
- n. *Goins v. Palmer Recovery Attorneys, PLLC*, No. 17-00654 (M.D. Fla.)
- o. *Heidarpour v. Central Payment Co. LLC*, No. 15-139, (M.D. Ga.)
- p. *Hetherington v. Omaha Steaks, Inc.*, No. 13-2152 (D. Or.)
- q. *Hogaboom v. NCO Fin. Sys.*, No. 15-6146 (E.D. Pa.)
- r. *Hopkins v. Modernize, Inc.*, No. 17-40087 (D. Ma.)
- s. *Horton v. Cavalry Portfolio Servs., LLC*, No. 13-307 (S.D. Cal.)
- t. *Ikuseghan v. Multicare Health System*, No. 14-5539 (W.D. Wash.)
- u. *In re Collecto, Inc. TCPA Litig.*, No. 14-2513 (D. Mass.)
- v. *In re Monitronics Int'l, Inc. TCPA Lit.*, No. 13-2493 (N.D. W. Va.)
- w. *Johansen v. One Planet Ops Inc.*, No. 16-121 (S.D. Ohio)
- x. *Johnson v. Navient*, No. 15-716 (S.D. Ind.)
- y. *Johnson v. NPAS Solutions, LLC*, No. 17-80393 (S.D. Fla.)
- z. *Krakauer v. DISH Network, LLC*, No. 14-333 (M.D. N.C.)
- aa. *LaVigne v. First Community Bancshares, Inc.*, No. 15-000934 (D. N.M.)
- bb. *Lennartson v. Papa Murphy's Int'l. LLC*, No. 15-05307 (W.D. Wa.)
- cc. *Lofton v. Verizon Wireless (VAW) LLC*, No. 13-5665 (N.D. Cal.)
- dd. *Luster v. Green Tree Servicing LLC*, No. 14-1763 (N.D. Ga.)
- ee. *Mauthe, M.D., P.C. v. Versa Cardio, LLC*, No. 15-657 (M.D. Pa.)
- ff. *Mey v. Frontier Commc'n Corp.*, No. 13-1191 (D. Conn.)
- gg. *Mey v. Herbalife Int'l*, No. 01-263 (Cir. Ct. Ohio Cnty., W. Va.)
- hh. *Mey v. Interstate Nat'l Dealer Servs., Inc., et al.*, No. 14-01846 (N.D. Ga.)
- ii. *Mey v. Venture Data, LLC*, No. 14-123 (N.D. W. Va.)
- jj. *Mohamed v. OffLease Only, Inc.*, No. 15-23352 (S.D. Fla.)
- kk. *Morris v. Solar City Corp.*, No. 15-5107 (N.D. Cal.)
- ll. *Nguyen v. Vantiv LLC*, No. 15-2436 (N.D. Cal.)
- mm. *Reyes v. BCA Fin. Servs.*, No. 16-24077 (S.D. Fla.)
- nn. *Roberts v. Wyndham Hotels & Resorts, LLC*, No. 12-5083 (N.D. Cal.)
- oo. *Saunders v. Cabela's Wholesale, Inc.*, No. 14-537095 (Cal. Sup. Ct., San Francisco Cnty.)
- pp. *Slovin v. SunRun, Inc.*, No. 15-5340 (N.D. Cal.)
- qq. *Tomeo v. Citigroup Inc.*, No. 13-04046, (N.D. Ill.)
- rr. *Vizcarra v. Macy's.com*, No. 14-2041 (C.D. Cal.)
- ss. *West v. California Serv. Bureau, Inc.*, No. 16-03124 (N.D. Cal.)

- tt. *Winters v. Capital One Bank (USA) N.A.*, No. 17-1178 (C.D. Cal.)
- uu. *Youngman v. A&B Ins. & Fin., Inc.*, No. 16-1478 (M.D. Fla.)

12. I was the court-appointed settlement administrator and managed claims processing and the fund distribution and/or was a notice expert in, *inter alia*, the following TCPA cases:

- a. *Benzion v. Vivint, Inc.*, No. 12-61826 (S.D. Fla.)
- b. *Brown v. Rita's Ice Franchise*, No. 15-3509 (E.D. Pa.)
- c. *Desai v. ADT Security Sys., Inc.*, No. 11-1925 (N.D. Ill.)
- d. *Duchene v. Westlake Servs., LLC, d/b/a Westlake Fin. Servs., LLC*, No. 13-157 (W.D. Pa.)
- e. *Heidarpour v. Central Payment Co. LLC*, No. 15-139 (M.D. Ga.)
- f. *Horton v. Cavalry Portfolio Servs., LLC*, No. 13-307 (S.D. Cal.)
- g. *Ikuseghan v. Multicare Health Sys.*, No. 14-5539 (W.D. Wash.)
- h. *Lofton v. Verizon Wireless (VAW) LLC*, No. 13-5665 (N.D. Cal.)
- i. *Mey v. Herbalife Int'l*, No. 01-263 (Cir. Ct. Ohio Cnty., W. Va.)
- j. *Mey v. Interstate Nat'l Dealer Servs., Inc., et al.*, No. 14-01846 (N.D. Ga.)
- k. *Milford & Ford Assoc., Inc., et al. v. Cell-Tek, LLC*, No. 09-11261 (D. Ma.)
- l. *Munday v. Navy Fed. Credit Union*, No. 15-1629 (C.D. Cal.)
- m. *Nguyen v. Vantiv LLC*, No. 15-2436 (N.D. Cal.)
- n. *Ward v. Flagship Credit Acceptance, LLC*, No. 17-02069 (E.D. Pa.)
- o. *Youngman v. A&B Ins. & Fin., Inc.*, No. 16-1478 (M.D. Fla.)

13. In addition to the engagements listed above and, in my resume, I have also overseen some of the most complex, large-scale international administration programs.

14. As the court-appointed notice administrator in the *In Re Swiss Banks Holocaust Victim Assets Litigation*, a \$1.25 billion settlement, I played a key role in a worldwide Phase I, notice program that resulted in the processing of more than 500,000 initial questionnaires.

15. In Phase III, I coordinated delivering notice to over 10,000 Jewish communities in 109 countries, and administered international help and call centers in Phases I and III that directly assisted more than 100,000 potential claimants, created a class-appropriate notice targeting Romanies (Gypsies) in 48 countries and directed hundreds of staff to communicate orally and

directly with Romani communities and individuals, and notified more than two million people. By designation of the International Organization for Migration (“IOM”), I directly assisted more than 22,000 Romanies in 17 countries of central and eastern Europe with claim completion.

16. I was appointed by the government of Germany to lead the notice and claims collection efforts in the German Forced Labour Compensation Programme (GFLCP). As authorized by the IOM, we located more than 43,000 Romani survivors in 17 countries of central and eastern Europe who were potentially eligible for humanitarian aid, and I oversaw the creation of a comprehensive database for the GFLCP and the Holocaust Victim Assets Programme and directly assisted more than 11,000 Romanies in eight central and eastern European countries with claim completion.

17. I was appointed by Chairman Lawrence Eagleburger and served as a consultant to the International Commission on Holocaust Era Insurance Claims (ICHEIC) on notice and outreach strategies and supervised the notification of claimants and face-to-face assistance programs in eastern Europe and the former Soviet Union.

18. In February 2011, I was appointed by the Israeli government authority as the Administrative Director of Project HEART (Holocaust Era Asset Restitution Taskforce) to provide the essential tools, strategy, and information that will ultimately enable the Government of Israel and its partners to secure a measure of justice for eligible Jewish victims and their heirs. Since its inception, Project HEART has become one of the most comprehensive multilingual notice campaigns ever undertaken, covering 137 countries. As part of its efforts, we launched a multilingual, interactive website, established a 24-hour call center in 13 languages, distributed more than 500,000 documents to potentially eligible families of Holocaust victims, handled over 80,000 calls, conducted archival research, and created the most comprehensive on-line database in history. In addition, my team reached out to 15,000 non-governmental organizations (NGOs) that

are now engaged in the project, assisted thousands of Holocaust victims and their heirs, established an active social media campaign, held numerous press conferences, participated in dozens of radio programs, processed nearly two hundred thousand claims, and created the world's largest and most complex data repository of nearly two million documents of Jewish property stolen or looted during the Holocaust era.

19. Courts have admitted my expert opinions, testimony, data analysis methodology, notice programs' effectiveness and efficiency, as well as claims administration determinations, in numerous TCPA and other class action cases. Several courts have commented favorably on the record, specifically regarding my TCPA-related experience and expertise. For example, United States District Judge Catherine Eagles stated in her January 25, 2018 Order in the matter of *Thomas H. Krakauer v. DISH NETWORK, LLC*, case 1:14-CV- 333, in the United States District Court for the Middle District of North Carolina:

The Court has reviewed a number of Ms. Verkhovskaya's reports and declarations during the course of these proceedings and heard her testify at trial. She is well-qualified to address issues related to locating and updating addresses for class members and identifying those with incomplete name information from telephone numbers. Based on its familiarity with her work over time and on its personal, in-court observations of her testimony, the Court finds her to be a credible witness and has no concerns about her honesty or integrity.

20. In *Milford & Ford Associates, Inc., et al. v. Cell-Tek, LLC, et al.*, in the United States District Court for the District of Massachusetts:

Of the 73,206 class members, 11,518 (approximately 15%) have returned claim forms. As attested by Anya Verkhovskaya, this is an exceptionally high number and indicative of a well-executed class notice program compared to previous class actions, which has yielded an approximate 5% response rate.

21. In the past four years I have testified as an expert witness at deposition or trial in the following cases:

- a. *Abante Rooter & Plumbing, Inc. v. Alarm.com, Inc. and Alarm.com Holdings, Inc.*, No. 15-06314 (N.D. Cal.)
- b. *Biringer v. First Family Ins., Inc.*, No. 14-00566 (N.D. Fla.)
- c. *Cordoba et al v. DIRECTV, LLC.*, No. 15-03755 (N.D. Ga.)
- d. *Drayton v. Toyota Motor Credit Corporation*, No. 16-00046 (M.D. Fla.)
- e. *Garcia vs. Target Corporation*, No. 16-20727 (S.D. Fla.)
- f. *Gilmore v. USCB Corporation*, No. 17-00119 (M.D. Ga.)
- g. *Goins v. Palmer Recovery Attorneys, PLLC.*, No. 17-00654 (M.D. Fla.)
- h. *Heidarpour v. Central Payment Co LLC.*, No. 15-00139 (M.D. Ga.)
- i. *Hopkins v. Modernize, Inc.*, No. 17-40087 (D. Mass.)
- j. *Hossfeld v. Compass Bank, et al.*, No. 16-02017 (N.D. Ala.)
- k. *In re: Monitronics International, Inc. Telephone Consumer Protection Act Litigation*, No. 13-02493 (N.D. W.V.)
- l. *Johansen v. HomeAdvisor, Inc., One Planet Ops Inc., et al*, No. 16-00121, (S.D. Ohio)
- m. *Johnson v. Comodo Group, Inc.*, No. 16-004469 (D. N.J.)
- n. *Johnson v. Navient Solutions, Inc.*, No. 15-00716 (S.D. Ind.)
- o. *Krakauer v. DISH Network, LLC.*, No. 14-00333 (M.D. N.C.)
- p. *Luster v. Green Tree Servicing LLC.*, No. 14-01763 (N.D. Ga.)
- q. *Manopla et al v. Home Depot USA, Inc. et al.*, No. 15-01120 (D. N.J.)
- r. *Mcmillion v. Rash Curtis & Associates*, No. 16-03396 (N.D. Cal.)
- s. *Mey v. Frontier Communications Corporation*, No. 13-01191 (D. Conn.)
- t. *Morris v. SolarCity Corp.*, No. 15-05107 (N.D. Cal.)
- u. *Pietersen v Wells Fargo Bank, N.A.*, No. 17-02306 (N.D. Cal.)
- v. *Reyes v. BCA Financial Services, Inc.*, No. 16-24077 (S.D. Fla.)
- w. *Roberts v. Wyndham International, Inc. et al.*, No. 12-05083 (N.D. Cal.)
- x. *Slovin v. Sunrun, Inc. et al.*, No. 15--05340 (N.D. Cal.)
- y. *Tomeo v. Citigroup Inc.*, No. 13-04046 (N.D. Ill.)
- z. *West v. California Service Bureau, Inc.*, No. 16-03124 (N.D. Cal.)
- aa. *Winters v. Capital One Bank (USA) N.A., et al.*, No. 17-01178 (C.D. Cal.)

III. PROPOSED SETTLEMENT

22. It is my understanding that the parties have reached a proposed settlement outlined in the Settlement Agreement with the Settlement Class consisting of:

All natural persons in the United States who, from October 16, 2013 to the date of this Agreement: (a) received more than one telephone solicitation call in a 12-month period made by or on behalf of Sirius XM more than 31 days after registering the landline, wireless, cell or mobile telephone number on which they received those calls with the National Do Not Call Registry, or (b) received one or more calls after registering the landline, wireless, cell, or mobile telephone number on which they received the calls with Sirius XM's internal Do Not Call list.

Excluded from the class definition are: (a) natural persons who were or had been paid subscribers to Sirius XM's service at the time of the first call; (b) natural persons who were members of the class settled in Hooker v. Sirius XM Radio Inc., Civil Action No. 4:13-cv-00003 (E.D. Va. 2013), who did not exclude themselves from that class, and who did not receive more than one telephone solicitation call after July 5, 2016, the date of the Hooker settlement; and (c) any employees, officers, directors of Sirius XM, and attorneys appearing in this case, and any judge assigned to hear this case as well as their immediate family and staff.

23. I further understand that, pursuant to the Settlement Agreement, in full and final settlement of the claims of the Settlement Class, and in consideration for the release of the Released Claims:

- a. Sirius XM shall pay a non-reversionary sum of \$25,000,000.00 (the "Settlement Fund"), from which cash to members of the Settlement Class, notice, administrative costs, and attorneys' fees, costs, and other expenses shall be paid. The Settlement Fund shall constitute Sirius XM's exclusive payment obligation under this Settlement Agreement.
- b. Sirius XM shall provide three (3) months of free access to Sirius XM's All Access Subscription package (or any subsequently-named satellite radio service that contains substantially the same programming as such All Access package) (the "Free Service") to each Class Member who elects to receive it, in lieu of cash (and thus who does not receive a cash distribution from the Settlement Fund), who is not an active subscriber at the time of distribution, and who complies with the requirements of this Agreement to receive the Free Service. The monthly retail price of Sirius XM's All Access Subscription package, including taxes and fees, is currently approximately \$27.00. Class counsel reasonably estimate the fair market value of the Free Service to be at a

minimum \$32,000,000.00. The availability of the Free Service option shall not diminish the \$25,000,000.00 Settlement Fund.

IV. PROPOSED NOTICE PLAN

24. Based upon decades of experience in designing and administering efficient and effective global and domestic notice programs, I reviewed the available documents and carefully considered the requirements of Federal Rule of Civil Procedure 23(c). Based upon these goals, I prepared a proposed Notice Plan with 85% reach and frequency.

25. The Notice Plan is designed to include the following components:

- a. Electronic Notice (“Email Notice”)
- b. Direct Mail Notice
- c. Targeted Media Notice
- d. Website
- e. Interactive Voice Response (“IVR”)

Electronic Notice (“Email Notice”)

26. In today’s digital world, most individuals have multiple functional email addresses (*e.g.*, a work email, a personal email, perhaps a junk email, etc.). The following article discusses seven main reasons why people today have, or should have, more than one email addresses <https://www.getmailbird.com/7-reasons-multiple-email-addresses/>. In fact, data compiled by the Direct Marketing Association this year shows the average number of email addresses owned by consumers is 2.5 (<https://www.zettasphere.com/how-many-email-addresses-people-typically-use/>). Based on this, and other data, I estimate the Class Members in this case will likely each own or use between one to five email addresses.

27. Email Notice in general does present several challenges that we would like to list here along with suggestions on how to overcome those challenges: (a) a number of email addresses may not be valid and will bounce; and (b) unless the email is opened, there is no way to know for sure if it was delivered to an email account that is not being used, but is still “opened” to filter out non-personal emails and/or if the email was filtered out by numerous spam filters.

28. To overcome these challenges, the Email Notice program will utilize multiple email addresses per Class Member. Using multiple email addresses will increase the Notice Program’s effective reach by email, and therefore decrease the need for mailed Postcard Notice. Among other benefits, this proposal will result in a significant reduction of postage costs, a savings that will result in additional funds being available to distribute to class members.

29. The parties will provide CEG a class member list with the available relevant pieces of contact information for each class member (e.g., phone numbers, email addresses, and physical addresses). Defendant estimates that it will be able to provide approximately 14,400,000 telephone number records and approximately 10,000,000 email addresses associated with the potential class members.

30. In addition to the information provided, in order to identify multiple email addresses for each potential Class Member, the Email Notice program will implement an email reverse append analysis through one of the major credit bureaus and data aggregators/processors. The reverse append analysis will utilize the information provided in the class member list to identify up to five email addresses per each Class Member. I estimate that there will be on average approximately three unique valid email addresses appended per record for a total of approximately 43,200,000 email addresses. CEG will then send class notifications to all of these email addresses. Emailing Notice to multiple email addresses per Class Member improves the likelihood that the Email

Notice will be delivered to an in-use email address and be opened. Each Email Notice will contain a link to the case-specific website, SiriusXMdncTCPAsettlement.com, where online claims filing will be available via computers, mobile phones, and/or all other portable mobile devices.

31. Email Notices will be tracked for their status as “bounced,” “delivered,” and/or “opened,” etc. This information will be utilized for additional notice efforts and will be detailed in the notice declaration.

Direct Mail Notice

32. A double-sided postcard notice with detachable claim form will be mailed via First- Class Mail to an estimated 432,000 Class Members. CEG estimates that approximately 432,000 Class Members will have only “bounced” Email Notices. Mailing addresses will be updated via the National Change of Address database prior to mailing, which will also provide the maximum postal discount.

33. Following the return of any Mailed Notices as undeliverable-as-addressed (“UAA”), CEG will coordinate advanced address updating and will re-mail notices to those Class Members for whom updated mailing addresses are identified.

34. CEG will utilize LexisNexis, TransUnion and/or Microbilt in order to skip-trace the best addresses for those notices and/or checks that are returned as UAA.

35. The results of the Direct Mail Notice campaign will be detailed in the notice declaration.

Targeted Media Notice

36. In addition to the email and direct mail programs, CEG will create effective, audience-specific media targeting campaigns that reach and inform potential Class Members in the most efficient, media appropriate and cost-effective manners.

37. CEG will use a variety of targeting tools, industry resources and media expertise that will ensure meeting court requirements through industry-vetted standards. Digital capabilities allow us to target across multiple devices, such as desktop, laptop, mobile phone, and tablets, and are all based on defined parameters using data points extracted through trusted industry leaders, such as Google Ad, Facebook, Twitter, Experian, Adobe, and Amazon marketing services, among others.

38. CEG will use consumer and audience data such as demographic, geographic, behavioral, and other interest-based parameters to target audiences. CEG will use market knowledge and experience to deliver ad campaigns to premium online networks and integrate tracking and analytics that are used for constant optimization of the Media Notice campaign.

39. The online Targeted Media Notice program will deliver a minimum of 8,000,000 impressions targeting adults 23+, or those who were 18+ at the beginning of the Class Period, in the United States.

40. The online banner ad will take Class Members from their mobile devices, computers, and other digital devices directly to the case-specific website and/or IVR.

41. Furthermore, each one of the appended email addresses and/or email addresses received from the defendant, will be utilized in order to micro-target the Media Notice campaign in order to reach as many valid class members as possible. For example, based upon how many individuals have Gmail, Outlook, Yahoo!, or other email domains, online impressions can be targeted to websites known to be visited by those users.

42. The Media Program will have 300x250 square banner ads that will be used in the digital part of the campaign as well as other size banner ads, including 728x90, 468x60 and 160x600 banners for laptop/desktop and then 300x50 / 320x50 and 320x100 for the mobile devices.

43. Each ad will link to the case-specific website, SiriusXMdncTCPAsettlement.com, where online claims filing will be available.

44. The results of the Targeted Media Notice campaign will be detailed in the notice declaration.

Website

45. CEG will design and maintain a dedicated website, SiriusXMdncTCPAsettlement.com, where Class Members will have access to relevant case information, online claims submission, and downloadable case documents, including a Long Form Notice in Spanish. The website will be easy to navigate, it will be mobile compatible and CEG will submit the website to various search engines to make it easy to locate.

46. The number of unique visitors to the website and other relevant statistics will be detailed in the notice declaration.

Interactive Voice Response (“IVR”)

47. CEG’s call center will provide detailed case information and regular updates via IVR menu and track calls received. Services will specifically include: (a) a dedicated inbound toll-free line; and (b) an interactive voice response system with answers to Frequently Asked Questions.

48. The number of telephone inquiries and other relevant statistics will be detailed in the notice declaration.

Plain Language

49. Rule 23(c)(2) of the Federal Rules of Civil Procedure requires class action notices to be written in "plain, easily understood language." The attached Notice documents are written in plain, easy to understand language, clearly explaining Class Member's right under the proposed Settlement and options to exercise those rights, as well as the deadlines and important dates.

50. The Postcard Notice and Claim Form, attached hereto as Exhibit B, provides information about the Settlement, on how to file a claim, references a Long Form Notice, IVR's toll-free number and a website address, SiriusXMdncTCPAsettlement.com.

51. The Long Form Notice, attached hereto as Exhibit C, consistently and clearly explains the details of the Settlement, contains all of the required information, is easy to follow, reader-friendly, and in a plain language format.

Conclusion

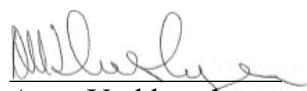
52. Based upon my experience in class action notice administration and in preparing and executing notice programs, the notice methods used in this Notice Plan are consistent with other Court-approved, effective class action notice plans.

53. This Notice Plan provides the best notice practicable under the circumstances and meets the due process communications standard. The Notice Plan is consistent with the 70-95% reach guideline set forth in the Federal Judicial Center's *Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide*.

54. Based on my experience with similar Notice Plans, I anticipate a greater than 10% response rate.

55. The Notice Plan is fully compliant with Rule 23 of the Federal Rules of Civil Procedure.

I declare under penalty of perjury that the foregoing is true and correct.



Anya Verkhovskaya

EXHIBIT A

ANYA VERKHOVSKAYA
President

Class Experts Group, LLC
Milwaukee, WI

anyav@classexpertsgroup.com
262-302-4443

INTRODUCTION

Anya Verkhovskaya is the President of Class Experts Group, LLC, a boutique firm which offers litigation support services with focus on data and expert services in the area of Telephone Consumer Protection Act (TCPA), class notice, and consumer class action support services.

Ms. Verkhovskaya has extensive experience administering some of the largest and most complex class action settlements in history, involving all aspects of direct, media and third-party notice programs, data management, claims administration and settlement fund distribution.

Ms. Verkhovskaya has been a pioneer in class member identification and location in TCPA and other consumer cases for purposes of class certification and effectuating notice programs. Ms. Verkhovskaya regularly provides opinions and testimony concerning ascertainability, class certification, notice adequacy and settlement issues in connection with TCPA matters as well as a variety of other types of class actions.

EDUCATION AND EXPERIENCE

Ms. Verkhovskaya's unique and diverse background includes nearly 30 years of hands-on experience in coordinating outreach and notice programs, first working with Steven Spielberg handling eastern European and middle Asian operations of the Survivors of the Shoah Visual History Foundation (currently USC Shoah Foundation Institute). Ms. Verkhovskaya also consulted on notice and outreach for the *In Re Holocaust Victim Assets Litigation*, German Forced Labour Compensation Programme, and the International Commission on Holocaust Era Insurance Claims (ICHEIC).

In 1999, Ms. Verkhovskaya parlayed her substantial experience coordinating this outreach, notice, and data management into a position with A.B. Data, Ltd., where she founded and grew their class action administration division for nearly two decades. In 2016, Ms. Verkhovskaya joined DRRT, a globally recognized law firm, as Managing Director. In 2017, Ms. Verkhovskaya founded Class Experts Group, LLC.

Soon after immigrating to the United States as a political refugee, Ms. Verkhovskaya received a Bachelor of Science degree from Molloy College in Long Island, New York.

EXPERT TESTIMONY

Ms. Verkhovskaya has provided expert testimony concerning identification of telephone numbers on the National Do Not Call Registry, identification of cellular/wireless telephone numbers, identification of residential telephone numbers, reverse-append of name and physical and/or email address information based upon telephone numbers as of a historical point in time, identification of recorded calls and related information, wrong number identification, and other topics related to data analysis, notice programs, and claims or settlement administration. Ms. Verkhovskaya has provided expert testimony at trial or deposition in, but not limited to, each of the following cases:

- *Abante Rooter & Plumbing, Inc. v. Alarm.com, Inc. and Alarm.com Holdings, Inc.*, No. 4:15-cv-06314, United States District Court, Northern District of California
- *Benzion v. Vivint, Inc.*, No. 0:12-cv-61826, United States District Court, Southern District of Florida, Fort Lauderdale Division
- *Biringer v. First Family Ins., Inc.*, No. 4:14-cv-00566, United States District Court, Northern District of Florida, Tallahassee Division
- *Cordoba et al v. DIRECTV, LLC.*, No. 1:15-cv-03755, United States District Court, Northern District of Georgia
- *Drayton v. Toyota Motor Credit Corp.*, No. 3:16-cv-00046, United States District Court, Middle District of Florida
- *Duchene v. Westlake Services, LLC*, No. 2:13-cv-01577, United States District Court, Western District of Pennsylvania
- *Estate of Gary Robertson v. ADS Alliance Data Sys., Inc.*, No. 8:11-cv-01652, United States District Court, Middle District of Florida
- *Garcia vs. Target Corporation*, No. 1:16-cv-20727, United States District Court, Southern District of Florida
- *Gilmore v. USCB Corporation*, No. 17-cv-00119, United States District Court, Middle District of Georgia, Macon Division
- *Goins v. Palmer Recovery Attorneys, PLLC*, No. 6:17-cv-00654, United States District Court, Middle District of Florida
- *Heidarpour v. Central Payment Co.*, No. 4:15-cv-00139, United States District Court, Middle District of Georgia
- *Hopkins v. Modernize, Inc.*, No. 4:17-cv-40087, United States District Court, District of Massachusetts
- *Horton v. Cavalry Portfolio Services, LLC*, No. 3:13-cv-00307, United States District Court, Southern District of California
- *Hossfeld v. Compass Bank, et al.*, No. 16-cv-02017, United States District Court, Northern District of Alabama
- *In Re: BISYS Group, Inc. Securities Litigation*, 04-CV-3840 (JSR), United States District Court, Southern District of New York

- *In Re: Micromuse Inc. Securities Litigation*, Case No. C-04-0136 SBA, United States District Court, Northern District of California
- *In Re: Monitronics International, Inc. TCPA Litigation*, No. 1:13-md-02493, United States District Court, Northern District of West Virginia
- *Johansen v. HomeAdvisor, Inc., One Planet Ops Inc., et al*, No. 2:16-cv-00121, United States District Court, Southern District of Ohio
- *Johnson v. Navient Solutions, Inc.*, No. 1:15-cv-00716, United States District Court, Southern District of Indiana
- *Krakauer v. DISH Network, LLC.*, No. 1:14-cv-00333, United States District Court, Middle District of North Carolina
- *Luster v. Green Tree Servicing LLC.*, No. 1:14-cv-01763, United States District Court, Northern District of Georgia
- *Manopla et al v. Home Depot USA, Inc. et al.*, No. 3:15-cv-01120, United States District Court, District of New Jersey
- *Mcmillion v. Rash Curtis & Associates*, No. 3:16-cv-03396, United States District Court, Northern District of California
- *Mey v. Frontier Communications Corp.*, No. 3:13-cv-01191, United States District Court, District of Connecticut
- *Mey v. Honeywell Int'l, Inc., et al*, No. 2:12-cv-01721, United States District Court, Southern District of West Virginia
- *Monroy v. Citrus County, et al.*, Case No. 2004-CA-1840, Fifth Judicial Circuit in and for Citrus County, Florida Civil Division
- *Morris v. SolarCity Corp.*, No. 3:15-cv-05107, United States District Court, Northern District of California
- *Pieterson v Wells Fargo Bank, N.A.*, No. 3:17-cv-02306, United States District Court, Northern District of California
- *Reyes v. BCA Financial Services, Inc.*, No. 1:16-cv-24077, United States District Court, Southern District of Florida
- *Roberts v. Wyndham International, Inc. et al.*, No. 5:12-cv-05083, United States District Court, Northern District of California
- *Shamblin v. Obama for America, et al.*, No. 8:13-cv-2428, United States District Court, Middle District of Florida, Tampa Division
- *Slovin v. Sunrun, Inc. et al.*, No. 4:15-cv-05340, United States District Court, Northern District of California
- *Southwell et al v. Mortgage Investors Corp.*, No. 2:13-cv-01289, United States District Court, Western District of Washington
- *Tomeo v. Citigroup Inc.*, No. 1:13-cv-04046, United States District Court, Northern District of Illinois
- *Warnick v. DISH Network, LLC.*, No. 1:12-cv-01952, United States District Court, District of Colorado
- *Warren v. Orkin*, No. 01-1-8395-35, Cobb County Superior Court, Georgia

- *West v. California Service Bureau, Inc.*, No. 4:16-cv-03124, United States District Court, Northern District of California
- *Winters v. Capital One Bank (USA) N.A., et al.*, No. 2:17-cv-01178, United States District Court, Central District of California

TCPA-RELATED DATA ANALYSIS

Ms. Verkhovskaya provided data analysis and/or an expert report (either as consulting expert or expert witness) in cases concerning the TCPA or other telephone-based state statutes in the following cases:

- *Abante Rooter and Plumbing, Inc. et al v. Alarm.com Inc.*, Case No.: 4:15-cv-06314-YGR, United States District Court, Northern District of California, Oakland Division
- *Balschmiter v. TD Auto Finance LLC*, 2:2013cv01186, United States District Court, Eastern District of Wisconsin
- *Bakov v. Consolidated World Travel*, Case No.: 1:15-cv-02980, United States District Court, Northern District of Illinois, Chicago Division
- *Barron's Outfitters Inc et al v. Deluxe Corporation*, Case No.: 3:14-cv-01903-MGL, United States District Court, District of South Carolina, Columbia Division
- *Benzion v. Vivint, Inc.*, Case No.: 12-CV-61826-WJZ, United States District Court, Southern District of Florida, Fort Lauderdale Division
- *Berman v. Freedom Financial Network, LLC et al*, Case No.: 4:18-cv-01060-YGR, United States District Court, California Northern District, Oakland Division
- *Birchmeier et al v. Caribbean Cruise Line, Inc. et al*, Case No.: 1:12-cv-04069, United States District Court, Northern District of Illinois, Chicago Division
- *Biringer v. First Family Insurance Inc*, Case No.: 4:14-cv-00566- RH-CAS, United States District Court, Northern District of Florida, Tallahassee Division
- *Brey Corp. v. Life Time Improvements, Inc.*, Civil Action No.: 349410-V, Circuit Court for Montgomery County, Maryland
- *Brinker v. Normandin's*, Case No.: 5:14-cv-03007-EJD, United States District Court, California Northern District, San Jose Division
- *Brown v. Rita's Water Ice Franchise Company LLC*, Case No.: 2:15-cv-03509-TJS, United States District Court, Eastern District of Pennsylvania, Philadelphia Division
- *Buchanan v. Sirius XM Radio, Inc.*, Case No.: 3:17-cv-00728-D, United States District Court, Northern District of Texas, Dallas Division
- *Caldera v. American Medical Collection Agency*, Case No.: 2:16-cv-00381-CBM-AJW, United States District Court, Central District of California, Western Division-Los Angeles
- *Carrese et al v. Yes Online Inc., et al*, Case No.: 2:16-cv-05301-SJO- AFM, United States District Court, Central District of California, Western Division-Los Angeles
- *Carroll v. SGS North America, Inc.*, Case No.: 3:16-cv-00537-SDD- RLB, United States District Court, Middle District of Louisiana, Baton Rouge Division

- *Charvat v ICOT Hearing Systems, LLC*, Case No.: 4:17-cv-00245-WTM-JEG, United States District Court, Southern District of Georgia, Savannah Division
- *Charvat v FTR Energy Services LLC*, Case No.: 3:14-cv-00073-SRU, United States District Court, District of Connecticut, New Haven Division
- *Charvat et al v. National Holdings Corporation*, Case No.: 2:14-cv-02205-GCS-EPD, United States District Court, Southern District of Ohio, Columbus Division
- *Charvat et al v. Santanna Natural Gas Corporation*, Case No.: 1:18-cv-02310, United States District Court, Northern District of Illinois, Chicago Division
- *Charvat v. Plymouth Rock Energy, LLC*, Case No.: 2:15-cv-04106 –JMA-SIL, United States District Court, Eastern District of New York, Central Islip Division
- *Clough v. Revenue Frontier, LLC et al*, Case No.: 1:17-cv-00411 PB, United States District Court, District of New Hampshire, Concord Division
- *In re: Collecto, Inc., Telephone Consumer Protection Act (TCPA) Litigation*, Case No.: 1:14-md-02513-RGS, United States District Court, District of Massachusetts, Boston Division
- *Cordoba et al v. DIRECTV, LLC*, Case No.: 1:15-cv-03755-MHC, United States District Court, Northern District of Georgia, Atlanta Division
- *Cortez v. National Credit Adjusters, LLC et al*, Case No.: 3:17-cv-02152-LAB-KSC, United States District Court, Southern District of California, San Diego Division
- *Deforest v. Royal Seas Cruises, Inc., et al*, Case No.: 3:17-cv-01988-BAS-AGS, United States District Court, Southern District of California, San Diego Division
- *Desai v. ADT Security Services, Inc.*, Case No.: 1:11-CV-1925, United States District Court, Northern District of Illinois
- *Diaz-Lebel v. TD Bank USA, N.A. et al*, Case No.: 1:17-cv-01611-JBS-AMD, United States District Court, District of New Jersey, Camden Division
- *Dipuglia v. US Coachways, Inc.*, Case No.: 1:17-cv-23006-MGC, United States District Court, Southern District of Florida, Miami Division
- *Donaca v. Dish Network, L.L.C.*, Case No.: 1:11-cv-02910-RBJ, United States District Court, District of Colorado, Denver Division
- *Dr. Charles Shulruff, D.D.S. v. Inter-Med, Inc. et al*, Case No.: 1:16-cv-00999, United States District Court, Northern District of Illinois, Chicago Division
- *Drayton v. Toyota Motor Credit Corporation*, Case No.: 3:16-cv-00046-BJD-JBT, United States District Court, Middle District of Florida, Jacksonville Division
- *Elias v. Synchrony Bank et al*, Case No.: 2:14-cv-08093-GHK-RZ, United States District Court, Central District of California, Western Division-Los Angeles
- *Fanning et al v. HSBC Card Services Inc et al*, Case No.: 8:12-cv-00885-JVS-RNB, United States District Court, Central District of California, Southern Division-Santa Ana
- *Fitzhenry v. The ADT Corporation f/k/a ADT Security Services, Inc. et al*, Case No.: 9:14-cv-80180-DMM, United States District Court, Southern District of Florida, West Palm Beach Division
- *Flowers v. Twilio, Inc.*, Case RG16804363, Cal. Sup. Ct., Alameda Cnty

- *Fray-Witzer v. Metropolitan Antiques, LLC*, Civil Action No.: 02-5827, Commonwealth of Massachusetts, Superior Court, Department of the Trial Court, Suffolk Division
- *Fray-Witzer v. Olde Stone Land Survey Company, Inc.*, C.A. No.: 2008-04175, Superior Court C.A. No.: 2008-04175, Commonwealth of Massachusetts
- *Garcia v. Target Corporation*, Case No.: 1:16-cv-20727-JEM, United States District Court, Southern District of Florida, Miami Division
- *Gilmore v. USCB Corporation*, Case No.: 5:17-cv-00119-MTT, United States District Court, Middle District of Georgia, Macon Division
- *Goins v. Palmer Recovery Attorneys, PLLC*, Case No.: 6:17-cv-00654-GAP-KRS, United States District Court, Middle District of Florida, Orlando Division
- *Harrison v. Great Healthworks, Inc. et al*, Case No.: 3:17-cv-00705-JM-JLB, United States District Court, Southern District of California, San Diego Division
- *Heidarpour v. Central Payment Co LLC*, Case No.: 4:15-cv-00139-CDL, United States District Court, Middle District of Georgia, Columbus Division
- *Hetherington v. Omaha Steaks, Inc. et al*, Case No.: 3:13-cv-02152-SI, United States District Court, District of Oregon, Portland Division
- *Hogaboom v. NCO Financial Systems, Inc.*, Case No.: 2:15-cv-06146-CMR, United States District Court, Eastern District of Pennsylvania, Philadelphia Division
- *Hopkins v. Modernize, Inc.*, Case No.: 4:17-cv-40087-TSH, United States District Court, District of Massachusetts, Worcester Division
- *Horton v. Cavalry Portfolio Services, LLC*, Case No.: 3:13-cv-00307-JAH WVG, United States District Court, Southern District of California, San Diego Division
- *Hossfeld v. Compass Bank, et al*, Case No.: 2:16-cv-02017-ACA, United States District Court, Northern District of Alabama, Southern Division
- *Ikuseghan v. MultiCare Health System*, Case No.: 3:14-cv-05539-BHS, United States District Court for the Western District of Washington, Tacoma Division
- *Jenkins v. National Grid USA et al*, Case No.: 2:15-cv-01219-JS-GRB, United States District Court, Eastern District of New York, Central Islip Division
- *Johansen v. Liberty Mutual Group Inc.*, Case No.: 1:15-cv-12920-ADB, United States District Court, District of Massachusetts, Boston Division
- *Johansen v. One Planet Ops, Inc.*, Case No.: 2:16-cv-00121-ALM-EPD, United States District Court, Southern District of Ohio, Columbus Division
- *Johnson v. Comodo Group, Inc.*, Case No.: 2:16-cv-04469-SDW-LDW, United States District Court, District of New Jersey, Newark Division
- *Johnson v. Navient Solutions, Inc.*, Case No.: 1:15-cv-00716-JMS-MJD, United States District Court, Southern District of Indiana, Indianapolis Division
- *Johnson v. NPAS Solutions, LLC*, Case No.: 9:17-cv-80393-RLR, United States District Court, Southern District of Florida, West Palm Beach Division
- *Kleja et al v. Transworld Systems, Inc.*, Case No.: 3:14-cv-00946-CRB, United States District Court, California Northern District, San Francisco Division

- *Knapper v. Cox Communications Incorporated*, Case No.: 2:17-cv-00913-SPL, United States District Court, District of Arizona, Phoenix Division
- *Krakauer v. DISH Network, L.L.C.*, Civil Action No.: 1:14-cv-00333-CCE-JEP, United States District Court, Middle District of North Carolina
- *Kubacki v. Peapod, LLC*, Case No.: 13 C 729, United States District Court for the Northern District of Illinois, Eastern Division
- *LaVigne v. First Community Bancshares, Inc., et al*, Case No.: 1:15-cv-00934-WJ-LF, United States District Court, District of New Mexico, Albuquerque Division
- *Leeb v. Charter Communications, Inc.*, Case No.: 1:14-cv-02780-RLW, United States District Court, Eastern District of Missouri, Albuquerque Division
- *Lennartson v. Papa Murphy's International LLC et al*, Case No.: 3:15-cv-05307-RBL, United States District Court for the Western District of Washington, Tacoma Division
- *Lofton v. Verizon Wireless (VAW) LLC*, Case No.: 4:13-cv-05665- YGR, United States District Court for the Northern District of California, Oakland Division
- *Lopera v. The Receivable Mgmt. Servs. Corp.*, Case No.: 12-CV-9649, United States District Court for the Northern District of Illinois, Eastern Division
- *Lushe v. Verengo Inc*, Case No.: 2:13-cv-07632-AB-PJW, United States District Court, Central District of California, Western Division-Los Angeles
- *Luster v. Green Tree Servicing LLC*, Case No.: 1:14-cv-01763-ELR, United States District Court, Northern District of Georgia, Atlanta Division
- *Mann & Company, PC v. C-Tech Industries, Inc.*, Civil Action No.: 1:08-cv-11312-RGS, United States District Court, District of Massachusetts Boston Division
- *Manopla et al v. Home Depot USA, Inc. et al*, Case No.: 3:15-cv-01120-PGS-TJB, United States District Court, District of New Jersey, Trenton Division
- *Martin v. Dun & Bradstreet, Inc.*, Case No.: 1:12-cv-00215, United States District Court for the Northern District of Illinois
- *Martin v. Global Tel*Link Corporation*, Case No.: 2:15-cv-03464-ODW-PLA, United States District Court, Central District of California, Western Division-Los Angeles
- *Mauthe v. Versa Cardio, LLC*, Case No.: 3:15-cv-00657-JMM, United States District Court, Middle District of Pennsylvania, Scranton Division
- *McMillion et al v. Rash Curtis & Associates*, Case No.: 4:16-cv-03396-YGR, United States District Court, California Northern District, Oakland Division
- *Meredith v. United Collection Bureau, Inc.*, Case No.: 1:16-cv-01102-PAG, United States District Court, Northern District of Ohio, Cleveland Division
- *Mey v. Frontier Communications Corporation*, Case No.: 3:13-cv-01191-MPS, United States District Court, District of Connecticut, New Haven Division
- *Mey v. Herbalife International, Inc.*, Civil Action No.: 01-C-263, Circuit Court of Ohio County, West Virginia
- *Mey et al v. Honeywell International, Inc. et al.*, Case No.: 2:12-cv-01721, United States District Court Southern District of West Virginia, Charleston Division

- *Mey v. Interstate National Dealer Services, Inc. et al*, Case No.: 1:14-cv-01846-ELR, United States District Court, Northern District of Georgia, Atlanta Division
- *Mey v. Venture Data, LLC*, Case No.: 5:14-cv-00123-JPB-JPM, United States District Court, Northern District of West Virginia, Wheeling Division
- *Milford & Ford Associates, Inc. v. American Consumer Shows, L.L.C.*, Case No.: 1:10-cv-11912-RGS, United States District Court, District of Massachusetts, Boston Division
- *Mohamed v. American Motor Company, LLC et al*, Case No.: 1:15-cv-23352-MGC, United States District Court, Southern District of Florida, Miami Division
- *Monitronics International, Inc., Telephone Consumer Protection Act Litigation*, Case No.: 1:13-md-02493-JPB, United States District Court, Northern District of West Virginia, Clarksburg Division
- *Morris v. SolarCity Corp.*, Case No.: 3:15-cv-05107-RS, United States District Court, Northern District of California, San Francisco Division
- *Naiman v. Total Merchant Services, Inc.*, Case No.: 4:17-cv-03806-CW, United States District Court, Northern District of California, Oakland Division
- *Newhart v. Quicken Loans, Inc. et al*, Case No.: 9:15-cv-81250-RLR, United States District Court, Southern District of Florida, West Palm Beach Division
- *Nghiem v. Dick's Sporting Goods, Inc.*, Case No.: 8:16-cv-00097-CJC-DFM, United States District Court, Central District of California, Southern Division – Santa Ana
- *Nguyen v. Vantiv LLC et al*, Case No.: 3:15-cv-02436-LB, United States District Court, Northern District of California, San Francisco Division
- *Ott v. Mortgage Investors Corporation of Ohio, Inc. et al*, Case No.: 3:14-cv-000645-ST, United States District Court, District of Oregon, Portland
- *Pieterson v. Wells Fargo Bank, N.A.*, Case No.: 3:17-cv-02306-EDL, United States District Court, Northern District of California, San Francisco Division
- *Reyes v. BCA Financial Services, Inc.*, Case No.: 1:16-cv-24077-JG, United States District Court, Southern District of Florida, Miami Division
- *Roberts et al v. Wyndham International, Inc. et al*, Case No.: 5:12-cv-05180-PSG, United States District Court, Northern District of California, San Jose Division
- *Shamblin v. Obama For America, et al.*, Case No.: 8:13-cv-02428-VMC-TMB, United States District Court, Middle District of Florida, Tampa Division
- *Sivsubramanian v. DNC Health Corp.*, Case No.: 2:10-cv-03522-VBF (FMOx), United States District Court, Central District of California at Los Angeles
- *Slovin v. Sunrun, Inc. et al*, Case No.: 4:15-cv-05340-YGR, United States District Court, Northern District of California, Oakland Division
- *Snyder v. iCard Gift Card, LLC*, Case No.: 0:15-cv-61718-WPD, United States District Court, Southern District of Florida, Ft Lauderdale Division
- *Sokoloski v. Stewart Title Guaranty Company Settlement*, Case No.: 3:08-cv-00236-AWT, United States District Court, District of Connecticut
- *Southwell et al v. Mortgage Investors Corporation*, Case No.: 2:13-cv-01289-MJP, United States District Court for the Western District of Washington, Seattle Division

- *Tannlund v. Real Time Resolutions, Inc.*, Case No.: 1:14-cv-05149, United States District Court, Northern District of Illinois, Chicago Division
- *Thomas v Peterson's Harley Davidson of Miami, L.L.C.*, Case No.: 0:18-cv-61723-BB, United States District Court, Southern District of Florida, Ft Lauderdale Division
- *Tomeo v. Citigroup Inc.*, Case No.: 1:13-cv-04046, United States District Court, Northern District of Illinois, Chicago Division
- *Tope v. Bankers Life & Casualty Company*, Case No.: 1:18-cv-01448, United States District Court, Northern District of Illinois, Chicago Division
- *Vizcarra v. Macys.com Inc et al*, Case No.: 8:14-cv-02041-JLS-JCG, United States District Court, Central District of California, Southern Division – Santa Ana
- *Ward v. Flagship Credit Acceptance LLC*, Case No.: 2:17-cv-02069-MMB, United States District Court, Eastern District of Pennsylvania, Philadelphia Division
- *In re Warner Chilcott Limited Securities Litigation*, Case No.: 06-CV-11515-WHP, United States District Court, Southern District of New York
- *Warnick v. Dish Network, LLC*, Case No.: 1:12-cv-01952-WYD-MEH, United States District Court, District of Colorado, Denver Division
- *West v. California Service Bureau, Inc.*, Case No.: 4:16-cv-0324-YGR, United States District Court, Northern District of California, Oakland Division
- *Wilson v. Badcock Home Furniture*, Case No.: 8:17-cv-02739-WFJ-AAS, United States District Court, Middle District of Florida, Tampa Division
- *Youngman v. A&B Insurance and Financial*, Case No.: 6:16-cv-01478-CEM-GJK, United States District Court, Middle District of Florida, Orlando Division

NOTICE AND/OR SETTLEMENT ADMINISTRATION

Ms. Verkhovskaya has directed notice and/or settlement administration in hundreds of consumer, TCPA, civil rights, insurance, antitrust, ERISA, securities, employment, human rights, environmental and other types of class action and Securities and Exchange Commission (SEC) fairness actions, including, but not limited to, the following cases:

- *Ace Marine Rigging & Supply, Inc. v. Virginia Harbor Services, Inc. et al.*, No.: SACV1100436-GW (FFMx), United States District Court, Central District of California
- *Acevedo v. Lawyers Title Insurance Corp.*, Case No.: 03-CH-07718, Circuit Court of Cook County, Illinois, County Department, Chancery Division
- *In re ACS Shareholders Litigation*, Master File No.: 3:06-cv-1592-M, United States District Court, Northern District of Texas, Dallas Division
- *In re Adolor Corporation Shareholders Litigation*, C.A. No.: 6997-VCN, Court of Chancery of the State of Delaware
- *In re Affiliated Computer Services ERISA Litigation*, Master File No.: 3:06-CV-1592-M, Northern District of Texas, Dallas Division

- *In re AIG ERISA Litigation*, Master File No.: 04-CV-9387 (JES) (AJP), United States District Court, Southern District of New York
- *In re AirGate PCS, Inc. Securities Litigation*, Civil Action No.: 1:02-CV-1291-JOF, United States District Court, Northern District of Georgia, Atlanta Division
- *Akins v. Worley Catastrophe Response, LLC*, Civil Action No.: 12-2401, United States District Court, Eastern District of Louisiana
- *Alakayak v. All Alaskan Seafoods, Inc.*, Case No.: 3AN-95-4676 CIV, Superior Court for the State of Alaska, Third Judicial District at Anchorage
- *Allen v. HealthPort Technologies, LLC*, Case No.: 12-CA-013154, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida General Civil Division
- *Alper v. Warnock Ford, Inc.*, Docket No.: MRS-L-1644-10, New Jersey Superior Court of New Jersey, Morris County
- *Altier v. Worley Catastrophe Response, LLC*, Civil Action No.: 11-00241, United States District Court, Eastern District of Louisiana
- *In re American Italian Pasta Co. Securities Litigation* (AIPC and Ernst Settlements), Consolidated Civil Action No.: 05-CV-0725-W-ODS, United States District Court, Western District of Missouri
- *In re Andrx Corporation, Inc., Taztia™ XT Securities Litigation*, CASE NO.: 02-60410, United States District Court, Southern District of Florida
- *Arias v. Award Homes, Inc.*, Case No.: M54183, Superior Court of California, County of Monterey
- *Arteaga v. MODA Furniture, Inc.*, Docket No.: L-000980-05, Superior Court of New Jersey, Morris County
- *In re Assicurazioni Generali S.p.A. Holocaust Insurance Litigation*, MDL 1374, United States District Court, Southern District of New York
- *In re Atlas Energy, Inc. Shareholders Litigation*, C.A. No.: 5990-VCL, Court of Chancery, State of Delaware
- *Austrian Banks Holocaust Litigation*, Case Nos.: 01-3017, 01-3019, 01-3024, 01-3025, United States District Court for the Southern District of New York
- *Baptista v. Mutual of Omaha Ins. Co.*, CA 10-467 ML, United States District Court, District of Rhode Island
- *Bauman v. Superior Financial Corp.*, Civ. Action No.: 4-01-CV-00756 GH, United States District Court, Eastern District of Arkansas, Western Division
- *In re Bear Stearns Companies, Inc. ERISA Litigation*, Case No.: 08-MDL-1963, United States District Court, Southern District of New York
- *In re Beazer Homes USA, Inc. ERISA Litigation*, Civil Action No.: 1:07-CV-00952 (RWS), United States District Court for the Northern District of Georgia, Atlanta Division
- *In re Beckman Coulter, Inc. Securities Litigation*, Case No.: 8:10-cv-1327-JST (RNBx), United States District Court, Central District of California
- *Benzion v. Vivint, Inc.*, Case No.: 12-CV-61826-WJZ, United States District Court, Southern District of Florida, Fort Lauderdale Division

- *Berman v. Freedom Financial Network, LLC et al*, Case No.: 4:18-cv-01060-YGR, United States District Court, California Northern District, Oakland Division
- *In re BigBand Networks, Inc. Securities Litigation*, Master File No.: 07-CV-5101 SBA, United States District Court, Northern District of California, Oakland Division
- *In re BISYS Securities Litigation*, Civil Action No.: 04-CV-3840 (JSR), United States District Court, Southern District of New York
- *Black v. Metso Paper USA, Inc.*, Civil Action No.: 3:05-CV-1951, United States District Court for the Middle District of Pennsylvania
- *Blanco v. KeyBank USA, N.A.*, Case No.: 1-03-CV-524, United States District Court, Northern District of Ohio, Eastern Division
- *Board of Commissioners of the Port of New Orleans v. Virginia Harbor Services Inc.*, No.: SACV11-00437-GW (FFMx)
- *Bosland v. Warnock Dodge, Inc.*, Docket No.: MRS-L-844-06, Superior Court of New Jersey, Morris County
- *In re BP Prudhoe Bay Royalty Trust Securities Litigation*, Case No.: C06-1505 MJP, United States District Court, Western District of Washington at Seattle
- *Bragg v. Bill Heard Chevrolet, Inc.-Plant City*, Case No.: 8:02-CV-609-T-30EAJ, United States District Court, Middle District of Florida, Tampa Division
- *Brattain v. Richmond State Hospital*, Cause No.: 49D11-0108-CP-1309, Cause No.: 49D110108-CP-1309, Marion Superior Court, County of Marion, State of Indiana
- *Brey Corp. v. Life Time Improvements, Inc.*, Civil Action No.: 349410-V, Circuit Court for Montgomery County, Maryland
- *Brieger v. Tellabs, Inc.*, Case No.: 1:06-cv-1882, United States District Court, Northern District of Illinois, Eastern Division
- *Brey Corp v. Life Time Improvements, Inc.*, Case No.: 8:11-cv-00948-JFM, United States District Court, District of Maryland, Greenbelt Division
- *Brinker v. Normandin's*, Case No.: 5:14-cv-03007-EJD, United States District Court, California Northern District, San Jose Division
- *Broad St. Partners Fund v. Dods*, Case No.: 2011 CH 001505, State of Illinois, County of Du Page, Circuit Court of the Eighteenth Judicial Circuit
- *Brown v. Hayt, Hayt & Landau, LLC*, Docket No.: L-7042-07, Superior Court of New Jersey, Essex County
- *Brown v. Rita's Water Ice Franchise Company LLC*, Case No.: 2:15-cv-03509-TJS, United States District Court, Eastern District of Pennsylvania, Philadelphia Division
- *Brumfield v. Countrywide Home Loans, Inc.*, 1:08-CV-93-HSO-JMR, Mississippi Southern District Court
- *Burns v. First American Bank*, Case No.: 04 C 7682, United States District Court for the Northern District of Illinois, Eastern Division
- *In re Calpine Corporation ERISA Litigation*, Master File No.: C 03-CV-1685 (SBA), United States District Court, Northern District of California, Oakland Division

- *Canning v. Concord EFS, Inc.*, Docket No.: L-6609-02, Superior Court of New Jersey, Law Division: Camden County
- *Capovilla v. Lone Star Technologies, Inc.*, Cause No.: 07-02979, District Court of Dallas County, Texas, 14th Judicial District
- *In re Cardinal Health, Inc. ERISA Litigation*, No.: C2-04-643 (ALM), United States District Court, Southern District of Ohio, Eastern Division
- *Carlson v. C.H. Robinson Worldwide, Inc.*, Civil Action No.: CV 02-3780, United States District Court for the District of Minnesota
- *Carlson v. State of Alaska, Commercial Fisheries Entry Commission*, Case No.: 3AN- 845790 CI, Superior Court for the State of Alaska, Third Judicial District at Anchorage
- *In re Cbeyond, Inc. Securities Litigation*, Civil Action No.: 1:08-cv-1666 (CC), United States District Court, Northern District of Georgia
- *Cement Masons & Plasterers Joint Pension Trust v. TNS, Inc.*, Case No.: 1:06 CV 363 CMH/BRP, United States District Court, Eastern District of Virginia
- *Cerda v. Associates First Capital Corporation*, Civil Action No.: M-03-146, United States District Court, Southern District of Texas, McAllen Division
- *Chao v. Slutsky*, C.A. No.: 01-CIV-7593, United States District Court, Eastern District of New York
- *Clayton v. Velociti, Inc.*, Case No.: 08-CV-2298-CM/GLZ, United States District Court for the District of Kansas at Kansas City
- *Clearview Imaging, L.L.C. v. Dairyland Insurance Company*, Case No.: 04-11399, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Clearview Imaging, L.L.C. v. Mercury Insurance Company of Florida*, Case No.: 03-5170, Circuit Court of the Thirteenth Judicial Circuit of the State of Florida, in and for Hillsborough County, Florida, Civil Division
- *Clearview Imaging, L.L.C. v. Nationwide Mutual Insurance Company*, Case No.: 04-10396 Division H (consolidated), Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Clearview Imaging, L.L.C. v. Progressive Consumers Insurance Company*, Case No.: 034174 Div. C, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Clemons v. Thompson*, No.: MON-L-001980-07, United States District Court, Eastern District of New York
- *Clough v. Revenue Frontier, LLC et al*, Case No.: 1:17-cv-00411 PB, United States District Court, District of New Hampshire, Concord Division
- *In re CNX Gas Corporation Shareholders Litigation*, C.A. No.: 5377-VCL, Court of Chancery of the State of Delaware
- *Cohen v. JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A.*, Case No.: 04 CV 4098, United States District Court, Eastern District of New York
- *Coleman v. Lincoln Wood Products, Inc.*, 99-CVS-1362, Superior Court of New Jersey, Middlesex County: Law Division

- *In re: Collecto, Inc., Telephone Consumer Protection Act (TCPA) Litigation*, Case No.: 1:14-md-02513-RGS, United States District Court, District of Massachusetts, Boston Division
- *Collins v. American Consumer Shows, Inc.*, Civil Action No.: 1:10-CV-11912-RGS, United States District Court, District of Massachusetts
- *Commonwealth of Massachusetts v. H&R Block, Inc.*, Civil Action No.: 08-2474-BLS1, Suffolk Superior Court
- *In re Connexis Securities Litigation*, Case No.: C 07-02940 SI, United States District Court for the Northern District of California
- *In re: The Consumers Trust*, Case No.: 05 – 60155 (REG), United States Bankruptcy Court, Southern District of New York
- *Coppess v. Healthways, Inc.*, Case No.: 3:10-cv-00109, United States District Court, Middle District of Tennessee, Nashville Division
- *Corsello v. Verizon New York, Inc.*, Case No.: 39610/07, Supreme Court of State of New York
- *Cortez v. National Credit Adjusters, LLC et al*, Case No.: 3:17-cv-02152-LAB-KSC, United States District Court, Southern District of California, San Diego Division
- *Cotton v. Ferman Management Services Corporation*, Case No.: 02-08115, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Cottrell v. Gardner*, Civ. Action No.: CV-2002-121(I), Superior Financial Corp. Derivative Action, State of Arkansas, Sebastian County, Arkansas
- *In re CP Ships Ltd. Securities Litigation*, Case No.: 8:05-MD-1656-T-27TBM, United States District Court for the Middle District of Florida
- *Croxall v. Tampa Hund L.P.*, Case No.: 03-6201, The Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Cruz v. Condor Capital Corporation*, Docket No.: MID-L-2108-06, Superior Court of New Jersey, Middlesex County: Law Division
- *Curtis v. Northern Life Insurance Company*, No.: 01-2-18578-1 SEA, Superior Court of Washington for King County
- *Dandong, et al. v. Pinnacle Performance Limited*, et al., No.: 10-cv-8086 (JMF), United States District Court, Southern District of New York
- *In re: DDAVP Indirect Purchaser Antitrust Litigation*, Civil Action No.: 05-cv-2237 (CS), United States District Court, Southern District of New York
- *DeCarlo v. Lerner New York, Inc.*, No.: BC 317954, State of California Superior Court, Los Angeles
- *In re Del Monte Foods Company Shareholder Litigation*, Consolidated C.A. No.: 6027- VCL, Court of Chancery, State of Delaware
- *In re Delphi Financial Group Shareholders Litigation*, Consolidated C.A. No.: 7144-VCG, Court of Chancery of the State of Delaware
- *Desai v. ADT Security Services, Inc.*, Case No.: 1:11-CV-1925, United States District Court, Northern District of Illinois
- *Diaz-Lebel v. TD Bank USA, N.A. et al*, Case No.: 1:17-cv-01611-JBS-AMD, United States District Court, District of New Jersey, Camden Division

- *Di Popolo v. Ramsey Nissan, Inc.*, Docket No.: BER-L-10319-09, Superior Court of New Jersey, Bergen County
- *In re Diebold ERISA Litigation*, No.: 5:06 CV 0170, United States District Court for the Northern District of Ohio Eastern Division
- *Dishkin v. Tire Kingdom, Inc.*, Case No.: 3D08-2088, Circuit Court for Miami-Dade County, Florida
- *Dr. Charles Shulruff, D.D.S. v. Inter-Med, Inc. et al*, Case No.: 1:16-cv-00999, United States District Court, Northern District of Illinois, Chicago Division
- *Drury v. Countrywide Home Loans, Inc.*, Case No.: 6:08-cv-152-ORL-28 DAB, United States District Court, Middle District of Florida, Orlando Division
- *Duchene v. Westlake Services, LLC*, Case No.: 2:13-cv-01577-MRH, United States District Court, Western District of Pennsylvania, Pittsburgh Division
- *In re Dura Pharmaceuticals, Inc. Securities Litigation*, Master File No.: 99-CV-0151-JLS (WMC), United States District Court, Southern District of California
- *Eisenberger v. Boston Service Company, Inc.*, Docket No.: MID-L-10366-09, Superior Court of New Jersey, Middlesex
- *In re Electronic Data Systems Corp. ERISA Litigation*, 6:03-MD-1512 and Lead Case: 6:03CV-126 (ERISA), United States District Court, Eastern District of Texas, Tyler Division
- *Elias v. Synchrony Bank et al*, Case No.: 2:14-cv-08093-GHK-RZ, United States District Court, Central District of California, Western Division-Los Angeles
- *In re Emergent Group, Inc. Shareholder Litigation*, Lead Case No.: BC455715, Superior Court of the State of California, County of Los Angeles
- *In re: Enterprise Rent-A-Car Wage & Hour Employment Practices Litigation*, MDL No.: 2056, United States District Court for the Western District of Pennsylvania
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- *Estate of Gary Robertson v. ADS Alliance Data Systems., Inc.*, Case No.: 8:11-cv-1652-VMC-TBM, United States District Court, Middle District of Florida, Tampa Division
- *Estate of Mitchell Hampton v. Beverly Enterprises-Arkansas, Inc.*, No.: CV 2004-95-3, Circuit Court of Bradley County, Arkansas
- *Estep v. Smythe Volvo, Inc.*, Case No.: UNN-L-004184-03, Superior Court of New Jersey, Union County: Law Division
- *Evans v. Stewart Title Guaranty Company*, Case No.: 04-06630-05, Circuit Court of the 17th Circuit, Broward County, Florida
- *Fanning et al v. HSBC Card Services Inc. et al*, Case No.: 8:12-cv-00885-JVS-RNB, United States District Court, Central District of California, Southern Division-Santa Ana
- *Family Open MRI, Inc. v. Direct General Ins. Co.*, Case No.: 03-4175, Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *In re Fannie Mae ERISA Litigation*, Consolidated Civil Action No.: 1:04-cv-01784 (RJL), United States District Court, District of Columbia

- *Fernando v. Neopost USA, Inc.*, Case No.: BC439856, Superior Court of the State of California, County of Los Angeles
- *Fernando v. Priority Mailing Systems*, Case No.: BC439857, Superior Court of the State of California, County of Los Angeles
- *Ferro v. Florida Windstorm Underwriting Assoc.*, Civil 00014808, 17th Judicial Circuit, Broward County, Florida
- *In re FLAG Telecom Holdings, Ltd. Securities Litigation*, Master File No.: 02-CV-3400 (CM) (PED), United States District Court, Southern District of New York
- *Flood v. Dominguez*, Case No.: 2:08-CV-153, United States District Court for the Northern District of Indiana
- *Kellman v. Forever 21 Retail, Inc.*, Case No.: 12-32841 CA 05, Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida
- *Francis v. A&E Stores, Inc.*, Case No.: 06 CV 1638(CS)(GAY), United States District Court, Southern District of New York
- *Franco v. Ace Parking Management Inc.*, Case No.: BC 392809, Superior Court of the State of California, Los Angeles County
- *Fray-Witzer v. Metropolitan Antiques, LLC*, Civil Action No.: 02-5827, Commonwealth of Massachusetts, Superior Court, Department of the Trial Court, Suffolk Division
- *Fray-Witzer v. Olde Stone Land Survey Company, Inc.*, C.A. No.: 2008-04175, Superior Court C.A. No.: 2008-04175, Commonwealth of Massachusetts
- *In re Fremont General Corporation Litigation*, CV07-02693 JHN(FFMX), United States District Court for the Central District of California
- *Friedman v. Rayovac Corp.*, Case No.: 02-C-0308-C, United States District Court for the Western District of Wisconsin
- *Froumy v. Stark & Stark*, Case No.: 3:09-cv-04890, United States District Court, District of New Jersey
- *FW Transportation, Inc. v. Associates Commercial Corp.*, Case No.: C200000084, District Court of Johnson County, Texas, 18th Judicial District
- *In re General Electric Company Securities Litigation*, Civ. No.: 09-CIV-1951 (DLC), United States District Court, Southern District of New York
- German Forced Labor Compensation Program (GFLCP)
- *In re Gilead Sciences Securities Litigation*, Master File No.: C-03-4999-SI, United States District Court, Northern District of California
- *Gilley v. Ernie Haire Ford, Inc.*, Case No.: 02-8101, Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *In re Goodrich Shareholders Litigation*, Index No.: 13699/2011 (Consolidated), Supreme Court of the State of New York, County of Nassau: Commercial Division
- *Graham v. Town & Country Disposal of Western Missouri, Inc.*, Case No.: 4:10-CV- 00551, United States District Court for the Western District of Missouri
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- *Griffin v. Flagstar Bancorp, Inc.*, Case No.: 2:10-cv-10610, United States District Court, Eastern District of Michigan, Southern Division
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- *Hall v. The Children's Place Retail Stores, Inc.*, Civil Action No.: 1:07-cv-08252-SAS (Consolidated), United States District Court, Southern District of New York
- *Hamilton v. ATX Services Inc.*, Case No.: 08-0030-CV-W-SOW, United States District Court for the Western District of Missouri, Western Division
- *Hargrave v. TXU Corp.*, Case No.: 3:02-CV-2573-K, United States District Court, Northern District of Texas, Dallas Division
- *Harris v. First Regional Bancorp*, Case No.: CV10-7164 CJC (MLGx), United States District Court Central District of California
- *Harris v. Koenig*, Case No.: 1:02-CV00618 (GK), United States District Court for the District of Columbia
- *Harrison v. Great Healthworks, Inc. et al*, Case No.: 3:17-cv-00705-JM-JLB, United States District Court, Southern District of California, San Diego Division
- *In re Hartford Financial Services Group Inc. ERISA Litigation*, Master File: 3:08-CV- 01708 (PCD), United States District Court, District of Connecticut
- *Haynes v. Baptist Health*, 240 S.W.3d 576 (2006), Supreme Court of Arkansas
- *In re: Hearst-Argyle Shareholder Litigation*, Index No.: 09-Civ-600926, Supreme Court of the State of New York, County of New York
- *Heidarpour v. Central Payment Co LLC*, Case No.: 4:15-cv-00139-CDL, United States District Court, Middle District of Georgia, Columbus Division
- *Hellmers v. Countrywide Home Loans, Inc.*, Civil Action No.: 07-7703, United States District Court, Eastern District of Louisiana
- *Hennie v. ICOT Hearing Systems, LLC et al*, Case No.: 1:18-cv-02045-WMR, United States District Court, Northern District of Georgia, Atlanta Division
- *Herrera v. Wyeth ERISA Litigation*, Civil Action: 08 Civ. 04688 (RJS), United States District Courts, Southern District of New York
- *Hess v. Oriole Homes Corp.*, Civil Action No.: 07-7703, Circuit Court of the 15th Judicial Circuit, Palm Beach County, Florida
- *Hill v. American Medical Security Life Insurance Company*, C.A. No.: W-06 CA 332, United States District Court, Western District of Texas, Waco Division
- *Hill v. Countrywide Home Loans, Inc.*, Case No.: A-0178441, United States District Court, Eastern District of Texas
- *Hogaboom v. NCO Financial Systems, Inc.*, Case No.: 2:15-cv-06146-CMR, United States District Court, Eastern District of Pennsylvania, Philadelphia Division

- *Holley v. Kitty Hawk, Inc.*, Case No.: 3-00 CV 0828-P, United States District Court for the Northern District of Texas, Dallas Division
- *In re Holocaust Victim Assets Litigation* (Swiss Banks) (HVAP), Master Docket No.: CV-964849, United States District Court, Eastern District of New York
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- *Hunt v. PacifiCare Life and Health Insurance Company*, Case No.: 37-2009-00088839- CUIC-CTL
- *Hutson v. Baptist Health*, Case No.: CV 08-8221, Pulaski Circuit/County Court [Arkansas]
- *Hutt v. Martha Stewart Living Omnimedia, Inc.*, Index No.: 651249/2012, Supreme Court of New York, County of New York
- *In re ICG Communications, Inc. Securities Litigation*, Civil Action No.: 00-cv-1864-REBBNB (Consolidated), United States District Court for the District of Colorado
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- *In re: InfoSonics Securities Litigation*, Civil Action No.: 06-CV-1231-JLS (WMC), District Court for the Southern District of California
- *In re ING Group, N.V. ERISA Litigation*, Master File No.: 1:09-CV-00400-JEC, United States District Court, Northern District of Georgia, Atlanta Division
- *In re International Business Machines Corp. Securities Litigation*, Civil Action No.: 1:05-cv6279 (AKH), United States District Court, Southern District of New York
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- *In re Iowa Ready-Mixed Concrete Antitrust Litigation*, Case No.: 5:10-CV004038-MWB, United States District Court, Northern District of Iowa, Western Division
- *In re J. Crew Group, Inc. Shareholders Lit.*, Case No.: 6043-CS, Chancery Court, State of Delaware
- *In re JDS Uniphase Corporation ERISA Litigation*, Master File No.: C 03-04743 CW, United States District Court, Southern District of West Virginia at Beckley
- *Johansen v. Liberty Mutual Group Inc.*, Case No.: 1:15-cv-12920-ADB, United States District Court, District of Massachusetts, Boston Division
- *Johansen v. One Planet Ops, Inc.*, Case No.: 2:16-cv-00121-ALM-EPD, United States District Court, Southern District of Ohio, Columbus Division
- *Kalow & Springut, LLP v. Commence Corporation*, Case No.: 07-3443 (FLW/JJH), United States District Court for the District of New Jersey
- *Kay v. Wells Fargo & Company*, Case No.: 07-01351 WHA, United States District Court, Northern District of California
- *In re: King Pharmaceuticals, Inc. Securities Litigation*, No.: 2:03-CV-77, United States District Court, Eastern District of Tennessee, Greeneville Division

- *Knapper v. Cox Communications Incorporated*, Case No.: 2:17-cv-00913-SPL, United States District Court, District of Arizona, Phoenix Division
- *Krakauer v. DISH Network, L.L.C.*, Civil Action No.: 1:14-cv-00333-CCE-JEP, United States District Court, Middle District of North Carolina
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- *Kubota v. Walker*, Cause Number 06-02446, District Court of Dallas County, Texas, 95th Judicial District
- *The Lafayette Life Insurance Company v. City of Menasha*, Cause No.: 4:09-CV-64TLS- APR, United States District Court, Northern District of Indiana, Hammond Division (Lafayette)
- *In re LDK Solar Securities Litigation*, Master File No.: C 07-05182 WHA, United States District Court, Northern District of California
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- *In re Lehman Brothers Equity/Debt Securities Litigation*, Case No.: 09-MD-2017 (LAK), United States District Court, Southern District of New York
- *In re Lernout & Hauspie Securities Litigation* (Directors and FLV Settlements), Civil Action No.: 00-CV-11589 (PBS), United States District Court for the District of Massachusetts
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- *Lilly v. Oneida Ltd. Employee Benefits Admin. Comm.*, Case No.: 6:07-cv-00340 (NPM/ATB), United States District Court, Northern District of New York
- *In re Limelight Networks, Inc. Securities Lit.*, Master File No.: CV07-01603, United States District Court, District of Arizona
- *Lizama v. Medical Data Systems, Inc.*, Case No.: 2:16-cv-02773-WBS-CKD, United States District Court, Eastern District of California, Sacramento Division
- *Lofton v. Verizon Wireless (VAW) LLC*, Case No.: 4:13-cv-05665- YGR, United States District Court for the Northern District of California, Oakland Division
- *Long v. Eschelon Telecom, Inc.*, File Number 27-CV-07-6687, Fourth Judicial District of the State of Minnesota, County of Hennepin
- *The Louisiana Municipal Police Employees Retirement System v. Deloitte & Touche LLP*, C.A. No.: 04-621 (LDW), United States District Court, Eastern District of New York
- *Lushe v. Verengo Inc*, Case No.: 2:13-cv-07632-AB-PJW, United States District Court, Central District of California, Western Division-Los Angeles
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- *Mann & Company, PC v. C-Tech Industries, Inc.*, Civil Action No.: 1:08-cv-11312-RGS, United States District Court, District of Massachusetts Boston Division

- *Mann v. Lawyers Title Insurance Corporation*, Case No.: 03 CH 15223, Circuit Court of Cook County, Illinois, County Department, Chancery Division
- *Manopla et al v. Home Depot USA, Inc. et al*, Case No.: 3:15-cv-01120-PGS-TJB, United States District Court, District of New Jersey, Trenton Division
- *Mantzouris v. Scarritt Motor Group, Inc.*, Case No.: 8:03CV0015-T-30-MSS, United States District Court, Middle District of Florida, Tampa Division
- *In re Marine Hose Antitrust Litigation* (Bridgestone, Dunlop, Parker, Trelleborg, and Yokohama Settlements), Master Docket No.: 08-MDL-1888-Graham/Turnoff, United States District Court, Southern District of Florida, Miami Division
- *In re Marsh ERISA Litigation*, Master File No.: 04 cv 8157 (CM), United States District Court, Southern District of New York
- *In re Martek Biosciences Corp. Securities Litigation*, Civil Action No.: MJG 05-1224, United States District Court, District of Maryland, Northern Division
- *Martin v. aaiPharma, Inc.*, Master File No: 7:04-CV-27-D, United States District Court, Eastern District of North Carolina
- *Martin v. Dun & Bradstreet, Inc.*, Case No.: 1:12-cv-00215, United States District Court for the Northern District of Illinois
- *Martin v. Foster Wheeler Energy Corporation*, Case No.: 3:06-CV-00878, United States District Court, Central District of California
- *In re Massey Energy Co. Securities Litigation*, Civil Action No.: 5:10-cv-00689-ICB, United States District Court for the Northern District of California
- *Mayer v. Administrative Committee of the Smurfit-Stone Container Corporation Retirement Plans*, Case No.: 1:09-cv-02984, United States District Court, Northern District of Illinois
- *Mayes v. The Geo Group, Inc.*, Case No.: 5:08-cv-248/RS/EMT, United States District Court, Northern District of Florida, Panama City Division
- *Mayotte v. Associated Bank, N.A.*, Case No.: 2:07-CV-00033, United States District Court, Northern District of Florida, Panama City Division
- *In re MBNA Corp. Securities Litigation*, Case No.: 1:05-CV-00272-GMS (Cons.), United States District Court, District of Delaware
- *Meadows v. Clearwater Bay Marketing, LLC*, Cause No.: 49C01-0812-PL-054708, Marion Circuit Court, Civil Division, Marion County, Indiana
- *Means v. River Valley Financial Bank*, Cause No.: 49D12-0704-PL016504, Marion Superior Court, County of Marion, State of Indiana
- *In re Merck & Co. Inc. Vytorin ERISA Litigation*, Civil Action No.: 08-CV-1974 (DMC), United States District Court, District of New Jersey
- *Merrimon v. UNUM Life Insurance Company of America*, CIV. NO.: 2:10-cv-00447-NT, United States District Court, District of Maine
- *In re Metavante Technologies, Inc. Shareholder Litigation*, Consolidated Case No.: 09-CV5325 State of Wisconsin, Milwaukee County Circuit Court
- *Mey v. Frontier Communications Corporation*, Case No.: 3:13-cv-01191-MPS, United States District Court, District of Connecticut, New Haven Division

- *Mey v. Herbalife International, Inc.*, Civil Action No.: 01-C-263, Circuit Court of Ohio County, West Virginia
- *Mey et al v. Honeywell International, Inc. et al.*, Case No.: 2:12-cv-01721, United States District Court Southern District of West Virginia, Charleston Division
- *Mey v. Interstate National Dealer Services, Inc. et al*, Case No.: 1:14-cv-01846-ELR, United States District Court, Northern District of Georgia, Atlanta Division
- *Mey v. Venture Data, LLC*, Case No.: 5:14-cv-00123-JPB-JPM, United States District Court, Northern District of West Virginia, Wheeling Division
- *In re Micromuse, Inc. Securities Litigation*, Case No.: C-04-0136 BZ, United States District Court, Northern District of California
- *Milford & Ford Associates, Inc. v. Cell-Tek, LLC*, C.A. NO.: 1:09-CV-11261-DPW, United States District Court, District of Massachusetts
- *Milford & Ford Associates, Inc. v. American Consumer Shows, L.L.C.*, Case No.: 1:10-cv-11912-RGS, United States District Court, District of Massachusetts, Boston Division
- *Miller v. Weltman, Weinberg & Reis Co., L.P.A.*, Docket No.: MID-L-006248-07, Superior Court of New Jersey, Law Division: Middlesex County
- *In re: MK Resources Company Shareholders Litigation*, C.A. Nos. 1692-VCS and 1598VCS, Court of Chancery, New Castle County, State of Delaware
- *Mohamed v. American Motor Company, LLC et al*, Case No.: 1:15-cv-23352-MGC, United States District Court, Southern District of Florida, Miami Division
- *Montalvo v. Tripos, Inc.*, Case No.: 4:03CV995SNL, United States District Court, Eastern District of Missouri
- *Moore v. The Hertz Corporation*, 03-11772 Div. K, Circuit Court of the Thirteenth Judicial Circuit of State of Florida in and for Hillsborough, County Civil Division
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- *In re Motive, Inc. Securities Litigation*, Civil Action No.: A-05-CV-923-LY and Case No.: A06-CA-017-LY, United States District Court, Western District of Texas
- *Mozenter v. Nalco Holding Co.*, Case No.: 2011-MR-001043 (Cons.), Circuit Court of the Eighteenth Judicial Circuit
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- *Munday v. Navy Federal Credit Union*, Case No.: 8:15-cv-01629-JLS-KES, United States District Court, Central District of California, Southern Division – Santa Ana
- *In re: National City Corporation Securities, Derivative & ERISA Litigation*, Case No.: 08-nc70000, United States District Court for the Northern District of Ohio, Eastern Division

- *Nguyen v. Vantiv LLC et al*, Case No.: 3:15-cv-02436-LB, United States District Court, Northern District of California, San Francisco Division
- *Norflet v. John Hancock Life Insurance Company*, Civil No.: 3:04cv1099 (JBA), United States District Court, District of Connecticut
- *In re Novamed, Inc. Shareholders Lit.*, Cons. C.A. No.: 6151-VCP, Delaware Chancery Court
- *NSL Capital Management v. Gorman*, Docket No.: C-48-08, Superior Court of New Jersey, Chancery Division, Monmouth County
- *Nthenge v. Pressler and Pressler, LLP*, Master File No.: C-00-1211-PH United States District Court for the Northern District of California
- *In re: NX Networks Securities Litigation*, Civil Action Nos. 00-CV-11850-JLT and 01-CV10377-JLT, United States District Court, District of Massachusetts
- *Obermeyer v. MarineMax East, Inc.*, Case No.: 08-54007-CA-24, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida
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- *Ori v. Fifth Third Bank and Fiserv, Inc.*, Case No.: 08-CV-00432-LA, United States District Court, Eastern District of Wisconsin
- *In re: Ortiz v. Aurora Health Care, Inc.*, Case No.: 2:12-cv-00295-LA, United States District Court for the Eastern District of Wisconsin
- *Osborn v. EMC Corporation*, Case No.: C 04-00336 JSW, Northern District of California, San Francisco Division
- *In re OSI Pharmaceuticals, Inc. Securities Litigation*, Master File No.: 2:04-CV-05505-JSWDW, United States District Court, Eastern District of New York
- *Otte v. Life Insurance Company of North America*, Civ. No.: 09 CV 11537 RGS, United States District Court, District of New Hampshire
- *Overby v. Tyco International Ltd.*, Case No.: 02-CV-1357-B, United States District Court, District of New Hampshire
- *Ownby v. Citrus County, Florida*, Case No.: 2004-CA-1840, Circuit Court of the Fifth Judicial Circuit of the State of Florida, in and for Citrus County, Civil Division
- *In re: Pacific Gateway Exchange, Inc. Securities Litigation*, Master File No.: C-00-1211- PJH, United States District Court for the Northern District of California
- *Paliotto v. Johnny Rockets Group, Inc.*, 1:06-cv-02253-RCL, United States District Court for the District of Columbia (Washington, D.C.)
- *In re Par Pharmaceutical Companies, Inc. Shareholders Litigation*, C.A. No.: 7715-VCP, Court of Chancery of the State of Delaware
- *In re Par Pharmaceutical Securities Litigation*, Master File No.: 2:06-cv-03226 (ES) (SCM), United States District Court, District of New Jersey
- *Parker v. American Medical Security Group, Inc.*, Civil Action File No.: 04-1-1980-42, Superior Court of Cobb County, State of Georgia

- *Parthiban v. GMAC Mortgage Corporation*, SACV05-768-ODW (MLGx), United States District Court, Central District of California, Southern Division
- *Paskowitz v. Ernst & Young, LLP* (Motive, Inc.), Civil Action No.: A-08-CA-188-LY, United States District Court for the Western District of Texas, Austin Division
- *Patel v. Baluchi's Indian Restaurant*, Civ. Action No.: 08 CIV 9985 (RJS)(THK), United States District Court, Southern District of New York
- *Payson v. Capital One Home Loans, LLC* (FLSA and KWPA Settlements), Case No.: 07-CV2282-JTM/DWB, United States District Court for the District of Kansas at Kansas City
- *Pension Trust Fund for Operating Engineers v. Assisted Living Concepts, Inc.*, Case No.: 12CV-884-JPS, United States District Court, Eastern District of Wisconsin
- *Pereira v. Foot Locker, Inc.*, Civil Action No.: 07-CV-2157-JCJ, United States District Court, Eastern District of Pennsylvania
- *Perez v. Rent-A-Center, Inc.*, C.A. File No.: 01-CIV-7593, Superior Court of New Jersey, Law Division: Camden County
- *Pettway v. Harmon Law Offices, P.C.*, Civil Action No.: 03-10932-RGS, United States District Court, District of Massachusetts
- *In re: PFF Bancorp, Inc. ERISA Litigation*, No.: CV 08-01093-SVW (PLAx), United States District Court, Central District of California
- *Pickett v. Triad Financial Corporation*, Docket No.: MID-L-007727-05, Superior Court of New Jersey, Middlesex County
- *In Re: Platinum and Palladium Commodities Litigation*, Master File No.: Civ 3617 (WHP), United States District Court, Southern District of New York
- *Police and Fire Retirement System of the City of Detroit*, Plymouth County Retirement System v. SafeNet, Inc., Case No.: 06 Civ. 5797 (PAC)
- *Pollitt v. DRS Towing, LLC*, No.: 3:10-cv-1285, United States District Court of New Jersey
- *In re Potash Antitrust Litigation (II)*, MDL Dkt. No.: 1996, No.: 1:08-CV-6910, United States District Court for the Northern District of Illinois
- *Premier Open MRI, LLC v. Progressive American Ins. Co.*, Case No.: 04-00021, Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida
- Project HEART: Holocaust Era Asset Restitution Taskforce
- *Provo v. China Organic Agriculture, Inc.*, Case No.: 08-cv-10810, United States District Court, Southern District of New York
- *Puritan Budget Plan, Inc. v. Amstar Insurance Company*, Case No.: 04-10428, Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida
- *Quaak v. Dexia, S.A.*, No.: 03-CV-11566, United States District Court, District of Massachusetts
- *Ragsdale v. SanSai USA, Inc.*, Case Number 07-cv-1246 WQH (CAB), United States District Court, Southern District of California
- *Ramirez v. GreenPoint Mortgage Funding, Inc.*, Case No.: 08-CV-00369 TEH, United States District Court for the Northern District of California

- *Raspante v. Harris Interactive et al.*, C.A. 9148-VCP, Court of Chancery, State of Delaware
- *Raul v. Western Liberty Bancorp*, Case No.: A-12-668865-B, District Court of Clark County, Nevada
- *In re RBC Dain Rauscher Overtime Litigation*, Master File: 06-03093 JRT-FLN, United States District Court, District of Minnesota
- *In re RCN Corporation ERISA Litigation*, Master File No.: 04-CV-5068 (FLW), United States District Court, District of New Jersey
- *In re Ready-Mixed Concrete Antitrust Litigation*, Case No.: 1:05-cv-00979-SEB-VSS, United States District Court for the Southern District of Indiana, Indianapolis Division
- *In re Reliant Securities Litigation*, Civil Action No.: H-02-1810 (CONSOLIDATED), United States District Court, Southern District of Texas, Houston Division
- *In re RenaissanceRe Holdings Ltd. Securities Litigation*, Master No.: 1:05-cv-06764-WHP, United States District Court, Southern District of New York
- *In re R.H. Donnelley Corp. ERISA Litigation*, Case No.: 09-CV-07571 (RWG/MTM), United States District Court, Northern District of Illinois
- *Rice-Redding et al v. Nationwide Mutual Insurance Company*, Case No.: 1:16-cv-03634-WMR, United States District Court, Northern District of Georgia, Atlanta Division
- *Rolark v. Lawyers Title Insurance Corporation*, Case No.: 03 CH 13789, Circuit Court of Cook County, Illinois County Department, Chancery Division
- *Rubin v. MF Global, Ltd.*, Case No.: 08 Civ. 2233 (VM,) United States District Court, Southern District of New York
- *Rupp v. Thompson*, Court File No.: C5-03-347, State of Minnesota District Court, County of Lyon, Fifth Judicial District
- *S. Parker Hardware Mfg. Corp. v. AT&T Corp.*, Docket No.: BER-L-162-06, Superior Court of New Jersey, Bergen County
- *Saint Pete MRI v. Hartford*, Case No.: 10-03925, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida
- *Saint Pete MRI v. Auto Club South Insurance Company*, Case No.: 10-CA-013134, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida
- *Sam v. White*, Cause No.: 49D06-1006-PL-027492, State of Indiana, Marion Superior Court No.: 6, Civil Division
- *Santos v. Silver*, Docket No.: MID-L-08188-07, Superior Court of New Jersey, Middlesex
- *Scher v. Oxford Health Plans, Inc.*, AAA No.: 11 193 00548 05, American Arbitration Association
- *In re Schering-Plough Corp. Enhance ERISA Litigation*, Civil Action No.: 08-CV-1432 (DMC), United States District Court, District of New Jersey
- *Schmitz v. Liberty Mutual Insurance Company*, Civil Action No.: 4:08-cv-02945, United States District Court for the Southern District of Texas Houston Division
- *In re Scottish Re Group Securities Litigation*, Master File No.: 06-cv-5853 (SAS), United States District Court, Southern District of New York

- *In re Sears, Roebuck & Co. ERISA Litigation*, Case No.: 02-C-8324, United States District Court, Northern District of Illinois
- *SEC v. Anderson*, Civil Action No.: 05-1128 (D. Minn.)
- *SEC v. The BISYS Group, Inc.*, Civil Action No.: 07-cv-04010-KMK, United States District Court, Southern District of New York
- *SEC v. Gen-See Capital Corporation and Richard S. Piccoli*, Civil Action 09-cv-00014S, United States District Court, Western District of New York
- *SEC v. RenaissanceRe Holdings Ltd.*, Case No.: 1:07-cv-00865 RWS, United States District Court, Southern District of New York
- *In re SEC v. Rockford Funding Group*, Docket 1:09-cv-10047-PGG, United States District Court, Southern District of New York
- *In re SEC v. Take-Two Interactive Software, Inc.*, Civil Action No.: 09-cv-03113, United States District Court, Southern District of New York
- *SEC v. Tecumseh Holdings Corporation*, 03 Civ. 5490 (SAS), United States District Court, Southern District of New York
- *SEC v. Value Line, Inc.*, A.P. File No.: 3-13675, Securities and Exchange Commission
- *SEC v. WexTrust Capital, LLC*, Case No.: 08-cv-7104 (DC), United States District Court, Southern District of New York
- *SEC v. Zomax, Inc.*, Civil Action No.: 04-1155 (DWF/SRN), United States District Court, District of Minnesota
- *Serino v. Kenneth Lipper v. PricewaterhouseCoopers, LLP*, Index No.: 04/602106, Supreme Court of the State of New York, County of New York
- *In re Sexy Hair Concepts, LLC*, Case No.: 1:10-bk-25919-GM, United States Bankruptcy Court for the Central District of California, San Fernando Valley Division
- *In re SFBC International Securities & Derivative Litigation*, Case No.: 2:06-cv-000165- SRC, United States District Court, District of New Jersey
- *Shane v. Edge*, Case No.: 3:10-CV-50089, United States District Court for the Northern District of Illinois, Northern Division
- *Sheikh v. Maxon Hyundai, Inc.*, Docket No: L-000476-09, Superior Court of New Jersey, Union County
- *Silke v. Irwin Mortgage Corporation*, Cause No.: 49D03-0304-PL-000697, State of Indiana, Marion Superior Court, Civil Division
- *In re SLM Corporation Securities Litigation*, Case No.: 08-Civ-1029 (WHP), United States District Court, Southern District of New York
- *Smith v. Mill-Tel, Inc.*, Case No.: 08-CV-2016-JAR/JPO, United States District Court, District of Kansas, at Kansas City
- *Smolkin v. Leviton Manufacturing Co., Inc.*, Case No.: 03-C-04-008929, Circuit Court for Baltimore County
- *Soden v. East Brunswick Buick-Pontiac-GMC, Inc.*, Docket Nos. L-2510-03 and L-5617- 03, Superior Court of New Jersey, Middlesex County

- *Sokoloski v. Stewart Title Guaranty Company Settlement*, Case No.: 3:08-cv-00236-AWT, United States District Court, District of Connecticut
- *Sonoda v. Amerisave*, Case No.: CV11-01803-EMC, United States District Court for the Northern District of California, San Francisco Division
- *Southeast Texas Medical Associates, LLP v. VeriSign, Inc.*, Case No.: 1-05-CV-035550, Superior Court of the State of California, County of Santa Clara
- *Special Situations Fund III, L.P. v. Quovadx, Inc.*, Case No.: 04-cv-01006-RPM, United States District Court for the District of Colorado
- *State of New York v. SKS Associates, LLC*, IAS Part 58, Index No.: 400908/12, Supreme Court of the State of New York, County of New York
- *Steele v. GE Money Bank*, Case No.: 08-CV-1880 United States District Court for the Northern District of Illinois
- *Stein v. Pactiv Corporation*, Case No.: 10-CH-35455, Circuit Court of Cook County, Illinois, County Department, Chancery Division
- *Stein v. Monterey Financial Services Inc. et al*, Case No.: 2:13-cv-01336-AKK, United States District Court, Northern District of Alabama, Southern Division
- *In re Sterling Financial Corporation Merger Litigation*, No.: 13-2-03848-4 (Cons.), Superior Court of Washington in and for Spokane County
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- *Stoffels v. SBC Communications, Inc.*, Case No.: 5:05-CA-00233-WWJ, United States District Court for the Western District of Texas, San Antonio Division
- *In re Stone & Webster, Inc. Securities Litigation*, Civil Action No.: 00-CV-10874-RWZ, United States District Court, District of Massachusetts
- *In re: Supervalu, Inc. Securities Litigation*, Civil Action No.: 02-CV-1738 (JEL/JGL), United States District Court, District of Minnesota
- *In re Suprema Specialties, Inc. Securities Litigation*, Master File No.: 02-168 (WHW), United States District Court, District of New Jersey
- *Sutterfield v. Carney*, Case No.: C-04-0893 BZ, United States District Court, Northern District of California
- *Swope v. Credit Management, LP*, Case No.: 4:12-cv-00832-CDP, United States District Court, Eastern District of Missouri, St. Louis Division
- *In re Symbol Technologies, Inc. Securities Litigation*, Case No.: 02-CV-1383 (LDW), United States District Court, Eastern District of New York
- *In re Take-Two Interactive Securities Litigation and SEC v. Brant*, No.: 1:06-cv-00803- RJS, United States District Court, Southern District of New York
- *Taylor v. McKelvey (Monster Worldwide, Inc.)*, Civil Action No.: 06-cv-8322 (AKH), United States District Court, Southern District of New York
- *In re TD Banknorth Shareholders Litigation*, Consolidated C.A. No.: 2557-VCL, Court of Chancery of the State of Delaware
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- *In re Ticketmaster Entertainment Shareholder Litigation*, Case No.: BC407677, Superior Court for the State of California, County of Los Angeles, Central Civil West
- *In re: Tyson Foods, Inc. Securities Litigation*, Civil Action No.: 01-425-SLR, United States District Court for the District of Delaware
- *Ultra Open MRI Corporation v. Hartford Casualty Insurance Company*, Case No.: 07-CA009132, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Ultra Open MRI Corporation v. Nationwide Assurance Company*, Case No.: 03-010725, Thirteenth Judicial Circuit Court in and for Hillsborough County, Florida, Division H
- *United Consumer Financial Services Company v. William Carbo v. A&M Merchandising, Inc.*, Case No.: L-3438-02, Superior Court of New Jersey, Law Division: Hudson County
- *Valley National Bank v. Cahn*, Docket No.: L-0504-04, Superior Court of New Jersey, Law Division, Mercer County
- *Valuepoint Partners, Inc. v. ICN Pharmaceuticals, Inc.*, Case No.: SACV 03-989 DOC (Anx), United States District Court, Central District of California
- *In re Vaso Active Pharmaceuticals Derivatives Lit.*, Master Docket No.: 04-10792 (RCL) (Consolidated Derivative Action), United States District Court, District of Massachusetts
- *In re Vaso Active Pharmaceuticals Securities Litigation*, Master Docket No.: 04-10708 (RCL), United States District Court, District of Massachusetts
- *Veal v. Crown Auto Dealerships, Inc.*, Case No.: 8:04-cv-0323-T-27 MSS, United States District Court, Middle District of Florida, Tampa Division
- *In re Viisage Technology, Inc. Securities Litigation*, Civil Action No.: 05-cv-10438-MLW, United States District Court, District of Massachusetts
- *In re VisionAmerica, Inc. Securities Litigation*, Master File No.: 3-00-0279, United States District Court, Middle District of Tennessee, Nashville Division
- *Von Frieswalde v. Boeing Aerospace Operations, Inc.*, C.A. No.: SA06CA0236-OG, United States District Court for the Western District of Texas, San Antonio Division
- *In re Vonage Initial Public Offering (IPO) Securities Litigation*, Docket No.: 07-CV-177 (FLW/TJB), United States District Court, District of New Jersey
- *Walker v. Hill Wallack LLP*, Case No.: MID-L-003480-08, Superior Court of New Jersey, Middlesex County, Law Division
- *Walter v. Level 3 Communications, Inc.*, Civil Action No.: 09-cv-0658-REB-CBS, United States District Court, District of Colorado
- *Ward v. Flagship Credit Acceptance LLC*, Case No.: 2:17-cv-02069-MMB, United States District Court, Eastern District of Pennsylvania, Philadelphia Division
- *In re Warner Chilcott Limited Securities Litigation*, Case No.: 06-CV-11515-WHP, United States District Court, Southern District of New York
- *Warren v. Orkin Exterminating Company, Inc.*, Civil Action No.: 01-1-8395-35, Superior Court of Cobb County, State of Georgia
- *Wells v. DTD Enterprises, Inc.*, Case No.: L-9012-07, Superior Court of New Jersey, Middlesex County, Law Division

- *Brown v. Wells Fargo & Company*, Case No.: 11-1362 (JRT/JHG), United States District Court, District of Minnesota
- *Wenger v. Brunswick Buick Pontiac GMC, Inc. and Soden v. East Brunswick Buick Pontiac GMC Inc.*, Docket Nos. L-2510-03 and L-5617-03, Superior Court of New Jersey, Middlesex County
- *Wenger v. Cardo Inc., et al.*, Docket No.: MID-L-4924-07, Superior Court of New Jersey, Middlesex County: Law Division
- *Wenger v. Freehold Subaru, LLC*, Civil Action, Docket No.: MON-L-4003-10, Superior Court of New Jersey, Monmouth County – Law Division
- *West v. California Service Bureau, Inc.*, Case No.: 4:16-cv-0324-YGR, United States District Court, Northern District of California, Oakland Division
- *Williams v. CBE Group*, Case No.: 2:11-cv-3680-PS, United States District Court, District of New Jersey
- *Wisniak v. Mirant Americas Generation, LLC*, Civil Action No.: 1:03-CV-2049-BBM, United States District Court for the Northern District of Georgia, Atlanta Division
- *Wyatt v. El Paso Corporation*, Civil Action No.: H-02-2717, United States District Court, Southern District of Texas, Houston Division
- *Yarviv v. AT&T Corp.*, Docket No.: SOM-L-272-05, Superior Court of New Jersey, Law Division: Somerset County
- *Yates v. Checkers Drive-in Restaurants, Inc. et al.*, Case No.: 1:17-cv-09219, United States District Court, Northern District of Illinois, Chicago Division
- *Yingling, et al. v. eBay, Inc.*, C 09 01733 JW (PVT), United States District Court, Northern District of California, San Jose Division
- *Yost v. First Horizon*, Civil Action No.: 08-02293, United States District Court, Western District of Tennessee
- *Young v. Heimbuch*, Case No: CV10-8914 ODW (MANx), United States District Court, Central District of California
- *Youngman v. A&B Insurance and Financial*, Case No.: 6:16-cv-01478-CEM-GJK, United States District Court, Middle District of Florida, Orlando Division
- *In re: YRC Worldwide, Inc. ERISA Litigation*, Case No.: 2:09-cv-02953, United States District Court, District of Kansas
- *Zametkin v. Fidelity Management & Research Company*, No.: 1:08-cv-10960-MLW, United States District Court, District of Massachusetts
- *Zeidel v. Mozeo, LLC*, Case No.: 1:13-cv-06989, United States District Court, Northern District of Illinois, Chicago Division
- *Zelnick v. Citation Homes, Inc.*, Case No.: 413861, Superior Court of California, County of San Mateo
- *Zilhaver v. UnitedHealth Group Incorporated*, No.: 06-C-2237, United States District Court, District of Minnesota
- *In re Zomax, Inc. Securities Litigation*, Case No.: 05-cv-01128, United States District Court, District of Minnesota

EXHIBIT B

I. PROVIDE INFORMATION

Name	First Name [REDACTED]	Middle Name [REDACTED]
	Last Name [REDACTED]	Suffix [REDACTED]
Mailing Address	Street/P.O. Box [REDACTED]	Unit/Apt. Number [REDACTED]
	City/Town [REDACTED]	State [REDACTED] Zip Code [REDACTED] - [REDACTED]
Telephone Number – By providing this number, you certify that you received one or more telephone calls from Sirius XM to this number and that you had never been a paid subscriber when you received the first call. ([REDACTED]) [REDACTED] - [REDACTED]		Email Address [REDACTED]

II. CHOOSE FREE SERVICE BY [DATE] OR CASH PAYMENT BY [DATE] (CHOOSE ONLY ONE)

I choose three months of Sirius XM's All Access Subscription package currently valued at approximately \$81. **You must provide a Vehicle Identification Number (VIN) or Electronic Serial Number (ESN).**

VIN [NOTE: The vehicle must have a Sirius XM-equipped radio. **Vehicle cannot currently have a paid subscription.**]

--

ESN [Find by tuning to "0" on your Sirius XM radio. **Vehicle cannot currently have a paid subscription.**]

--

Check Box

OR, I choose a cash payment estimated by Class Counsel to be approximately \$12. **Check Box**

<hr/> <hr/> <hr/>	<div style="border: 1px solid black; padding: 5px; width: 100%;"> Postage Prepaid Information </div>
Sirius XM DNC Settlement Class Administrator P.O. Box _____ _____, _____ - _____	

Who's Included? The Settlement Class includes all persons in the U.S. who from October 16, 2013 through April 26, 2019 received a solicitation call by or on behalf of Sirius XM (a) at least twice within a 12-month period after their landline or wireless telephone number was registered more than 31 days on the National Do-Not-Call Registry, or (b) after their landline or wireless telephone number was registered on Sirius XM's internal Do-Not-Call list.

Settlement Terms. Sirius XM will provide (a) 3 months of free access to Sirius XM's All Access Subscription package (Free Service), which provides access to all of Sirius XM's available channels, currently consisting of over 150 channels plus streaming Sirius XM; or (b) a Settlement Fund of \$25 million, which will be distributed to Class Members who submit valid claim forms, and used for attorneys' fees and expenses, service awards, and settlement administration. **Each Class Member can choose either Free Service or a cash payment, but you cannot choose both.** If you do nothing, you will get nothing and release your claims against Sirius XM.

How Do I Get Free Service?	How Do I Get a Payment?
You must complete a claim form at SiriusXMdncTCPAsettlement.com or mail it to [address].	
Find the required ESN by tuning to "0" on your Sirius XM radio. Class Counsel estimates the current retail value of Free Service at approximately \$81.	Class Counsel estimates that the cash payment will be approximately \$12. How much each Class Member receives depends on how many people make valid claims.

Your Other Options. If you do not want to be legally bound by the Settlement, you must exclude yourself by [DATE]. If you exclude yourself, you get no Free Service and no cash payment from the Settlement. You may object to the Settlement by [DATE]. The information available on the Settlement website SiriusXMdncTCPAsettlement.com explains how to exclude yourself or object, and provides further information on the Settlement, including the Class definition. The Court will hold a Hearing on [DATE] to consider whether to approve the Settlement, a request for attorneys' fees of up to twenty percent (20%) of the Settlement's total value and a service payment of up to \$10,000 to the Class Representative. You may appear at the hearing, either yourself or through an attorney hired by you, but you do not have to appear at the hearing.

For complete terms of the Settlement, visit SiriusXMdncTCPAsettlement.com or call (****-****-****)

<p>A federal court authorized this notice. You are not being sued.</p> <p>Records show that you may be entitled to money from a class action settlement.</p> <p>A Settlement has been reached in a class action lawsuit claiming that Sirius XM made telephone calls to persons registered on the National Do Not Call Registry or Sirius XM's Internal Do Not Call Registry. Sirius XM denies any wrongdoing of any kind and the Court has not decided who is right. The Settlement gives Class Members the choice to receive either 3 months of Free Service or a cash payment.</p> <p><i>Si desea recibir esta notificación en español, visite nuestra página web o llámenos.</i></p>	<div style="text-align: center;"> <p>Sirius XM DNC Settlement Administrator Toll Free Number: x-xxx-xxxx-xxxx PO Box [_____] SiriusXMdncTCPAsettlement.com</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> PRESORT FIRST CLASS U.S. POSTAGE PAID PERMIT NO. XX </div> <div style="text-align: center; margin-top: 20px;">  Postal Service: Please do not mark barcode </div> <div style="text-align: center; margin-top: 10px;"> UNIQUE ID: [00001234] </div> <div style="text-align: center; margin-top: 10px;"> <<Name1>> <<Name2>> <<Address1>> <<Address2>> <<City>><<State>><<Zip>> </div> </div>
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EXHIBIT C

**LEGAL NOTICE BY ORDER OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF TEXAS**

If you received a call regarding Sirius XM satellite radio service from October 16, 2013 through April 26, 2019, while your name was on the National or Sirius XM's internal do-not-call list, but were never a paying subscriber, you may be entitled to a payment from a class action settlement.

A federal court authorized this notice. This is not a solicitation from a lawyer.

- A Settlement has been reached in a class action lawsuit claiming that Sirius XM Radio Inc. (“Sirius XM”) made telephone calls to persons registered on the National Do Not Call Registry or Sirius XM’s Internal Do Not Call Registry. Sirius XM denies any wrongdoing of any kind and the Court has not decided who is right.
- The Settlement, if approved, would offer three (3) months of free access to Sirius XM’s All Access Subscription package (“Free Service”) for Settlement Class Members. In addition, the Settlement would provide \$25,000,000 to make payments to Settlement Class Members, and pay the administrative costs of the Settlement, a service award for the Representative Plaintiff, and attorneys’ fees and costs.
- The Settlement gives Class Members the choice to receive either three (3) months of free access to Sirius XM’s All Access Subscription package, with every channel available on Sirius XM’s satellite radios, including access to over 150 Channels plus Sirius XM Streaming & Sirius XM Video, or a cash payment. Class Counsel estimates the current retail value of Free Service at approximately \$81. Class Counsel estimates that the cash payment will be approximately \$12. Each Class Member can choose either Free Service or a cash payment, but you cannot choose both. You must either go to the Settlement website at SiriusXMdncTCPAsettlement.com or submit a paper claim form to [address] to register for Free Service or receive a cash payment.
- Your entitlement to one of these forms of consideration will be verified by the Settlement Administrator. Free Service is not available in any vehicle that has a currently active paid subscription to Sirius XM’s radio service associated with it.

Your legal rights are affected whether you act or don't act. Read this Notice carefully.

On the website, SiriusXMdncTCPAsettlement.com, there is a complete Notice of the settlement in Spanish.

(En el sitio web, SiriusXMdncTCPAsettlement.com, hay una notificación completa del acuerdo en Español.)

YOUR LEGAL RIGHTS AND OPTIONS	
OPTION	RESULT
FILE A CLAIM FOR FREE SERVICE BY MONTH XX, 2019	<p>Filing a claim is the only way to get Free Service from the Settlement. You can make a claim by either (1) submitting one online at SiriusXMdncTCPAsettlement.com or (2) mailing a completed Claim Form to the Settlement Administrator.</p> <p>If you do not make a claim, you will not receive Free Service. Class Counsel estimates the current retail value of Free Service at approximately \$81.</p>
FILE A CLAIM FOR A CASH PAYMENT BY MONTH XX, 2019	<p>Filing a claim is the only way to get a cash payment from the Settlement. You can make a claim by either (1) submitting one online at SiriusXMdncTCPAsettlement.com or (2) mailing a completed Claim Form to the Settlement Administrator.</p> <p>If you do not make a claim, you will not receive a cash payment. How much each Settlement Class Member receives depends on how many Settlement Class Members make approved claims. Counsel estimates that the cash payment will be approximately \$12.</p>
DO NOTHING	Get no payment. Give up rights to sue Sirius XM separately for the legal claims in this case.
EXCLUDE YOURSELF BY MONTH XX, 2019	If you ask to be excluded, also known as “opting out,” you will receive no compensation from the Settlement, but you may be able to pursue your own lawsuit against Sirius XM about the legal claims in this case at your own expense.
OBJECT BY MONTH XX, 2019	Write to the Court about why you believe the Settlement is unfair.
GO TO A HEARING	Ask to speak in Court about the fairness of the Settlement.

- These rights and options - **and the deadlines to exercise them** - are explained in this Notice. The Court in charge of this case still has to decide whether to approve the Settlement. Free Service and payments will be made to eligible Class Members if the Court approves the Settlement. Please be patient.

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BASIC INFORMATION

Why is there a Class Notice?

A Court authorized this Notice because you have a right to know about a proposed Settlement of this class action lawsuit, and about all of your options, before the Court decides whether to approve the Settlement. If the Court approves the Settlement, an administrator appointed by the Court will administer requests for Free Service and make the payments that the Settlement allows. Because your rights will be affected by this Settlement, it is extremely important that you read this Notice carefully.

What is the class action lawsuit about?

The Court in charge of the case is the United States District Court for the Northern District of Texas, and the case is a class action known as *Buchanan v. Sirius XM Radio Inc.*, Case No. 17-cv-728 (N. D. Tex.). This case was brought by Thomas Buchanan, also known as “Representative Plaintiff.” The Representative Plaintiff sued Sirius XM Radio Inc., also known as “Defendant.”

A class action is a lawsuit in which the claims and rights of many people are decided in a single court proceeding. The Representative Plaintiff, also known as the “Class Representative,” asserts claims on behalf of the entire class. Here, the Representative Plaintiff claims that Sirius XM made telemarketing calls to persons registered on the National Do Not Call Registry or Sirius XM’s Internal Do Not Call Registry. The Representative Plaintiff alleges that this calling violated a federal statute called the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, and that Sirius XM is liable for such violations.

Sirius XM denies any liability or wrongdoing of any kind and further denies that this case is appropriate for treatment as a class action. Sirius XM has asserted various other defenses and further denies that Class Members suffered any injury or damage.

The Plaintiff’s Complaint, the Settlement Agreement, and other case-related documents are posted on the website, SiriusXMDncTCPAsettlement.com. The Settlement resolves the lawsuit. The Court has not decided who is right.

Why is there a Settlement?

The Court has not decided in favor of the Plaintiff or Sirius XM. Instead, both sides have agreed to the Settlement. By agreeing to the Settlement, the parties avoid the costs and uncertainty of a trial. If the Settlement is approved by the Court, then Settlement Class Members will receive the benefits described in this Notice. The proposed Settlement does not mean that any law was broken or that Sirius XM did anything wrong. Sirius XM denies all legal claims in this case.

The Representative Plaintiff and his attorneys think the proposed Settlement is best for everyone who is affected. Sirius XM thinks that it makes sense to enter into the proposed Settlement to avoid further legal expense and burden and to resolve this controversy. The Court in charge of this lawsuit has found it will likely be able to approve the proposed Settlement and ordered that this Notice be distributed to explain it.

WHO IS IN THE SETTLEMENT

How do I know if I am part of the Settlement?

The Settlement includes all natural persons in the United States who, from October 16, 2013 to April 26, 2019: (a) received more than one telephone solicitation call in a 12-month period made by or on behalf of Sirius XM more than 31 days after registering the landline, wireless, cell or mobile telephone number on which they received those calls with the National Do Not Call Registry, or (b) received one or more calls after registering the landline, wireless, cell, or mobile telephone number on which they received the calls with Sirius XM's Internal Do Not Call list.

Excluded from the Settlement Class are: (a) natural persons who were or had been paid subscribers to Sirius XM's service at the time of the first call; (b) natural persons who were members of the class settled in *Hooker v. Sirius XM Radio Inc.*, Civil Action No. 4:13-cv-00003 (E.D. Va. 2013), who did not exclude themselves from that class, and who did not receive more than one telephone solicitation call after July 5, 2016; and (c) any employees, officers, directors of Sirius XM, and attorneys appearing in this case, and any judge assigned to hear this case as well as their immediate family and staff.

What if I am not sure whether I am included in the Settlement?

If you still have questions about whether you are a Class Member, or are still not sure whether you are included in the Settlement, you can call the Settlement Administrator toll-free at 1-***-***-*** or visit SiriusXMdncTCPAssettlement.com for more information. Do not call the Court and do not call Sirius XM or its attorneys.

THE SETTLEMENT BENEFITS - WHAT YOU GET

What does the Settlement provide?

Sirius XM will offer (3) three months of free access to Sirius XM's All Access Subscription package (or any subsequently-named satellite radio service that contains substantially the same programming) to each Class Member who submits a claim form and complies with the requirements of the Settlement Agreement to receive Free Service. Sirius XM's All Access Subscription package contains every channel available on Sirius XM's satellite radios, including access to over 150 Channels plus Sirius XM Streaming and Sirius XM Video.

Sirius XM will also pay \$25,000,000 into a Settlement Fund. Cash payments to members of the Settlement Class, notice and administrative costs, a service award, and attorneys' fees, costs, and other expenses will be paid from the Settlement Fund. Class Members must file a claim to receive a cash payment.

Class Members may receive only one of the two options (Free Service or a cash payment). Each Class Member may receive only one benefit regardless of the number of his or her titled vehicles or the number of calls he or she may have received during the period covered by the definition of the Settlement Class.

Changed Business Practices. As part of the settlement, Sirius XM has also agreed to implement six changed business practices:

- (1) Sirius XM shall ensure its outbound dialing practices incorporate a pre-dial check for internal Do Not Call (“DNC”) status just prior to dialing, and neither Sirius XM nor its vendors or agents will dial any number found to be on the internal DNC list.
- (2) Sirius XM shall, twice annually, train its vendor personnel on proper DNC practices.
- (3) Sirius XM shall regularly audit its outbound telemarketing vendors and internal data management practices to ensure proper management of internal DNC requests.
- (4) Sirius XM shall ensure that its Customer Agreement has an easily visible and clear explanation that trial subscribers have a business relationship with Sirius XM that may result in Sirius XM calling them; the Customer Agreement shall also provide an explanation of how Sirius XM communicates with consumers, and shall provide notice to consumers that Sirius XM may call them regarding their service and trial or other subscription, a URL where consumers may manage their contact preferences and an 800 number they may call for customer service.
- (5) Sirius XM shall modify the timing of its telemarketing calls to ensure that Sirius XM does not make calls to trial subscribers until a reasonable period of time after the mailing of the welcome kit (which shall include a copy of the Customer Agreement or, if the welcome kit is delivered electronically, a link to the Customer Agreement).
- (6) Sirius XM shall, wherever possible, include in vehicle material that provides subscription details an explanation of how Sirius XM communicates with consumers, and shall provide notice that Sirius XM may call them regarding their service and trial or other subscription, a URL where they may manage their contact preferences and an 800 number they may call for customer service.

HOW YOU GET FREE SERVICE?

How do I get Free Service?

Each Class Member must submit a valid and timely Claim Form to receive Free Service. You may submit a Claim Form at the Settlement Website at SiriusXMDncTCPAsettlement.com or submit a paper Claim Form to [address]. Please read the instructions on the website carefully, follow all of the instructions, and provide all the information required. You must have your vehicle identification number (“VIN”) and the electronic serial number of your Sirius XM radio (“ESN”) to register for Free Service. **You can find the ESN by tuning to “0” on your Sirius XM radio.**

Claim Forms for Free Service must be completed online or received by [date].

Free Service will be available for one Sirius XM equipped vehicle owned or leased by the Class Member or his/her immediate family member. Free Service will not be available for any vehicle that has a currently active paid subscription associated with it at the time of the commencement of Free Service as determined by Sirius XM.

Any Class Member who converts to a paid subscription between registration for Free Service and the date on which cash will be distributed to eligible Class Members who have filed Claim Forms (and who is therefore no longer eligible to Free Service) will be converted to the cash payment option instead.

Free Service will not carry any obligation to continue service with Sirius XM beyond the three (3) months and will be provided in addition to, and will not affect a Class Member's eligibility for, any future Sirius XM satellite radio service offer.

When do I get Free Service?

Free Service will not be activated until the Settlement becomes final. The Court will hold a hearing on [DATE] to decide whether to approve the Settlement. If the Settlement is approved, appeals may still follow. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. Please be patient. If you have registered for Free Service, you will receive an email from Sirius XM notifying you shortly before your Free Service is set to commence.

What am I giving up to get Free Service or stay in the Settlement?

Being a Class Member means, unless you exclude yourself, that you cannot sue, continue to sue, or be part of any other lawsuit against Sirius XM about the legal issues in this case, and that all of the decisions and judgments by the Court will bind you.

If you were to file your own lawsuit against Sirius XM for alleged TCPA violations at issue in this Action and if you were to prevail, you could obtain damages of up to \$500 to the extent you can prove a violation, or up to \$1,500 to the extent you can prove either a violation that is willful or that Sirius XM knowingly violated the statute.

However, Sirius XM has denied that it made any illegal calls to anyone or engaged in any wrongdoing of any kind, and Sirius XM has potential defenses, including that Sirius XM should not be held liable because it had an established business relationship with Settlement Class Members. In addition, the TCPA does not provide for attorneys' fees to prevailing individual plaintiffs.

If you accept Free Service or do not exclude yourself from the lawsuit, you will be unable to file your own lawsuit involving any of the claims described and identified below, and you will release Sirius XM and the Released Parties from any liability for them.

Remaining in the Class means that you release and forever discharge Sirius XM, and each of its past, present or future officers, directors, insurers, general or limited partners, divisions,

stockholders, agents, telemarketing vendors, attorneys, employees, legal representatives, trustees, parents, associates, affiliates, subsidiaries, heirs, executors, administrators, purchasers, predecessors, successors and assigns (collectively, the “Released Parties”) from any and all claims, counterclaims, lawsuits, set-offs, costs, losses, rights, demands, charges, complaints, actions, causes of action, obligations, or liabilities of any and every kind, including without limitation (i) those known or unknown or capable or not capable of being known, (ii) those which are unknown but might be discovered or discoverable, and (iii) those accrued or unaccrued, matured or not matured, suspected or unsuspected, asserted or unasserted, foreseen or unforeseen, actual or contingent, liquidated or unliquidated, all from the beginning of the world until the date of the parties’ Settlement Agreement, that is, April 26, 2019, that arise out of or in any way relate or pertain to claims, no matter how styled, (a) that were asserted, or attempted to be asserted, or that could have been asserted in the lawsuit, or (b) alleging a call to any landline, wireless, cell or mobile phone in violation of any DNC law, whether as a result of a request not to be called or otherwise, including but not limited to claims arising under or relating to (i) the TCPA or any similar state or federal law, (ii) statutory or common law claims predicated upon any alleged violations of the TCPA or any similar state or federal law, and (iii) statutory or common law claims predicated upon and/or arising from any call to any landline, wireless, cell or mobile phone by any or all of the Released Parties, including by any vendor retained by any of the Released Parties, following any request not to receive such a call (collectively, the “Released Claims”).

Remaining in the Class also means that you further agree you will not seek to establish liability against any of the Released Parties based, in whole or in part, upon any of the Released Claims and you further covenant not to sue, institute, cause to be instituted, permit to be instituted on your behalf, or assist in instituting or prosecuting any proceeding, or otherwise assert any Released Claims against any Released Parties.

The Settlement Agreement (available at SiriusXMdncTCPAsettlement.com) provides more detail regarding the release and describes the Released Parties and Released Claims with accurate legal terminology, so read it carefully. You can talk to the law firms representing the Class listed in the “Do I have a lawyer in this case?” question below for free or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Parties or the Released Claims or what they mean.

The release does not apply to Class Members who timely opt-out of the Settlement.

How YOU GET A PAYMENT?

How do I get a payment?

Each Class Member must submit a valid and timely Claim Form to receive Free Service. You may submit a Claim Form at the Settlement website at SiriusXMdncTCPAsettlement.com or submit a paper Claim Form to [address]. Please read the instructions on the website carefully, follow all of the instructions, and provide all the information required.

Claim Forms for cash payments must be completed by [date].

If you are mailing a claim form, it must be received by this date.

It is estimated that Eligible Class Members’ cash award payment will be approximately \$12, but

that is only an estimate and the actual amount could be higher or lower than that amount. The exact amount of each individual cash payment cannot be determined at this time and will depend on the number of valid claims filed.

When do I get a payment?

Cash payments will not be distributed until the Settlement becomes final. The Court will hold a hearing on [date] to decide whether to approve the Settlement. If the Settlement is approved, appeals may still follow. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. Please be patient.

After the initial payments of settlement awards, smaller cash distributions may occur from the proceeds of any uncashed checks.

What am I giving up to get a payment or stay in the Settlement?

Being a Class Member means, unless you exclude yourself, that you cannot sue, continue to sue, or be part of any other lawsuit against Sirius XM about the legal issues in this case, and that all of the decisions and judgments by the Court will bind you.

If you were to file your own lawsuit against Sirius XM for violations of the TCPA at issue in this Action and were to prevail, you could obtain damages of up to \$500 to the extent you can prove a violation, or up to \$1,500 to the extent you can prove either a willful violation or that Sirius XM knowingly violated the statute.

However, Sirius XM has denied that it made any illegal calls to anyone or engaged in any wrongdoing of any kind, and Sirius XM has potential defenses, including that Sirius XM should not be held liable because it had an established business relationship with all Settlement Class Members. In addition, the TCPA does not provide for attorneys' fees to prevailing individual plaintiffs.

If you make a claim for a cash payment or do not exclude yourself from the lawsuit, you will be unable to file your own lawsuit involving all of the claims described and identified below, and you will release Sirius XM and the Released Parties from any liability for them.

Remaining in the Class means that you release and forever discharge the Released Parties from any and all Released Claims, as those terms are defined in the Settlement Agreement.

Remaining in the Class also means that you further agree you will not seek to establish liability against any of the Released Parties based, in whole or in part, upon any of the Released Claims and you further covenant not to sue, institute, cause to be instituted, permit to be instituted on your behalf, or assist in instituting or prosecuting any proceeding, or otherwise assert any Released Claims against any Released Parties.

The Settlement Agreement (available at SiriusXMDncTCPAsettlement.com) provides more detail regarding the release and describes the Released Parties and Released Claims with accurate legal terminology, so read it carefully. You can talk to the law firms representing the Class listed in

the “Do I have a lawyer in this case?” question below for free or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Parties or the Released Claims or what they mean.

The release does not apply to Class Members who timely opt-out of the Settlement.

WHAT YOU MUST INCLUDE IN A CLAIM FORM

How do I complete a claim form?

Please read the instructions on the claim form carefully, follow all of the instructions, and provide all the information required.

To receive Free Service, you must provide the following information on the claim form by no later than [date]: first and last name; vehicle identification number (“VIN”) of a Sirius XM equipped vehicle and/or electronic serial number (“ESN”) of the vehicle’s Sirius XM Radio; current mailing address (including apartment number, city, state and zip code); current email address; and current telephone number. You can find the ESN by tuning to “0” on your Sirius XM radio. If you did not receive email or individual mailed notice of the Settlement, you must identify on the claim form, if different than your current telephone number, the landline, wireless, cell or mobile number that received one or more calls by Sirius XM’s telemarketing vendors between October 16, 2013 and April 26, 2019, and affirm that you had never been a paid Sirius XM subscriber at the time you received the first call.

To receive the cash option, you must provide the following information on the claim form by no later than [date]: first and last name; current mailing address (including apartment number, city, state and zip code); and current telephone number. If you did not receive email or individual mailed notice of the Settlement, you must identify on the claim form, if different than your current telephone number, the landline, wireless, cell or mobile number that received one or more calls by Sirius XM’s telemarketing vendors between October 16, 2013 and April 26, 2019, and affirm that you had never been a paid Sirius XM subscriber at the time you received the first call.

EXCLUDING YOURSELF FROM THE SETTLEMENT

How do I exclude myself from the Settlement?

To exclude yourself from the Settlement, you must send a letter or other written document by mail to:

**Sirius XM DNC
Settlement Class Administrator
EXCLUSIONS**

Your request for exclusion must include the following:

- Your full name and address;
- The telephone number on which you received the call associated with your request for exclusion;
- Your personal and original signature or the original signature of a person previously authorized by law, such as a trustee, guardian or person acting under a power of attorney, to act on your behalf; and
- A statement in plain English that you want to be excluded from the Settlement Class and/or you want to waive all rights to the benefits of the Settlement.

Your exclusion request must be postmarked no later than [date]. You cannot ask to be excluded on the phone, by email, or at the website. If you opt out, your name will appear in the Court's records to identify you as someone not bound by the Settlement

If I do not exclude myself, can I sue Sirius XM for the same thing later?

No. Unless you exclude yourself, you give up any right you might have to sue Sirius XM for all claims resolved by the Settlement. The Settlement Agreement (which you can find at SiriusXMdncTCPAsettlement.com) explains the claims that you will be releasing. The claims that you will be releasing are also summarized in response to the question, "**What am I giving up to get a payment or stay in the Settlement?**" but you should always consult the Settlement Agreement for a complete explanation.

You must exclude yourself as a Class Member in order to try to maintain your own lawsuit. If you start your own lawsuit, you will have to hire your own lawyer, and you will have to prove your claims.

If I exclude myself, can I still get Free Service or a cash payment?

No. You cannot register for Free Service if you exclude yourself from the Settlement. You cannot receive a cash payment from the Settlement Fund if you exclude yourself from the Settlement.

THE LAWYERS REPRESENTING YOU

Do I have a lawyer in this case?

The Court has appointed the following lawyers as "Class Counsel" to represent Class Members: Hughes Ellzey, LLP; Mark A. Alexander P.C.; Siri & Glimstad LLP; Turner Law Offices, LLC; Werman Salas P.C.; and Lieff Cabraser Heimann & Bernstein, LLP.

You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

How will the lawyers and class representatives be paid?

Class Counsel will make an application to the Court for an award of attorneys' fees, costs and other expenses for their representation of the Class Representative and Class Members, of up to twenty percent (20%) of the total value of the Settlement. The Court will decide the amount of fees and expenses to award.

Class Counsel also will request a service award of \$10,000 for Thomas Buchanan as compensation for the time and resources he has put into representing Class Members.

OBJECTING TO THE SETTLEMENT

How do I tell the Court that I do not think the Settlement is fair?

You can tell the Court that you do not agree with the Settlement or some part of it. If you are a Class Member, you can object to the Settlement if you do not think the Settlement is fair. You can state the reasons why you think the Court should not approve it. The Court will consider your views.

To object, you must submit a letter or other written document that includes the following:

- Your full name, current address, email address and telephone number, as well as the name, address, email address and telephone number of all attorneys representing you;
- The cellular telephone number that includes you as a Class Member;
- Your original signature or the signature of counsel for the Class Member;
- A statement that you object to the Settlement, in whole or in part;
- A statement of the legal and factual basis for your Objection;
- A list of all cases, by name and case number, in which you and/or your counsel has filed or in any way participated in—financially or otherwise—objections to a class action settlement in the previous five (5) years; and
- Copies of any documents that you wish to submit in support of your position

You must mail or hand-deliver your objection to the Court so it is received by [date]. You must also mail your objection to Class Counsel and counsel for Sirius XM so that it is received no later than [date]. The addresses are listed below:

Clerk of Court

Plaintiff's Counsel

Defense Counsel

Do not call the Court, Sirius XM or Sirius XM's counsel if you have questions. Visit the website or call Class Counsel.

What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Class. Excluding yourself (also known as opting out), is telling the Court that you do not want to be included in the Settlement. If you exclude yourself, you cannot object because the Settlement no longer affects you.

THE FAIRNESS HEARING

When and where will the Court decide whether to approve the Settlement?

The Court has scheduled a Fairness Hearing on Month Day, 2019 at _____.m., in Courtroom 1525 of the United States District Court for the Northern District of Texas, 1100 Commerce Street, Dallas, Texas 75242-1003. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check SiriusXMdncTCPAsettlement.com for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider the requests by Class Counsel for attorneys' fees and expenses and for Service Awards to the Class Representative. If there are objections, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. It is unknown how long these decisions will take.

Do I have to attend the hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to attend the hearing at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you submitted your written objection on time, to the proper addresses, and it complies with the other requirements set forth above, the Court will consider it. You also may pay your own lawyer to attend the hearing, but it is not necessary.

May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. The Court makes the decision on what will happen at the Final Approval Hearing. Any Class member who wishes to appear at the Final Approval Hearing must mail or hand-deliver to the Clerk of the Court a "Notice of Intention to Appear," and file it in *Buchanan v. Sirius XM Radio Inc.*, Case No. 17-cv-728 (N. D. Tex.). Use the addresses listed above. The Notice of Intention to Appear must be received by the Court by [date]. You must also mail or hand-deliver your Notice of Intention to Appear including exhibits, lists or other documents to Class Counsel and Sirius XM's counsel so they are received by [date].

The Notice of Intention to Appear must include:

- Copies of any exhibits or other documents that you intend to present or use as evidence at the hearing;
- A list of all witnesses that you intend to call to give evidence at the hearing; and

- All other actions or any additional submissions as may be ordered by the Court.

If you wish to appear at the Final Approval Hearing you must also provide dates at least seven (7) days in advance of the Final Approval Hearing when you will be available for a deposition. Failure by an objector to make himself or herself available for a deposition may result in the Court striking the objection. The Court may also tax the costs of any such discovery to the objector or the objector's counsel if the Court determines that the objection is frivolous or made for an improper purpose.

You cannot ask to speak at the hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

What happens if I do nothing at all?

If you are a Class Member and do nothing, you will not get benefits from the Settlement. You must submit a claim form to register for Free Service or a cash payment. You will be bound by the judgment entered by the Court unless you exclude yourself using the procedure described above. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit or proceeding against Sirius XM about the claims at issue in this case or released by the Settlement Agreement.

GETTING MORE INFORMATION

How do I get more information?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement, which is the controlling document regarding the terms of the Settlement. For a complete, definitive statement of the Settlement terms, refer to the Settlement Agreement at SiriusXMdncTCPAsettlement.com. You may also write with questions to the Settlement Administrator at Sirius XM DNC Settlement Administrator, [ADDRESS], or call the toll-free number, 1-888-XXX-XXXX.

On the website, SiriusXMdncTCPAsettlement.com, there is a complete Notice of the Settlement in Spanish. (En el sitio web, SiriusXMdncTCPAsettlement.com, hay una notificación completa del acuerdo en Español.)